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WESTERN INTERIOR SUBSISTENCE REGIONAL ADVISORY COUNSEL
PUBLIC MEETING
September 30, 1993
McGrath, Alaska

COUNCIL MEMBERS PRESENT:

~~H~~AROLD HUNTINGTON, CHAIRMAN
~~S~~HARON GUTLER-STRICK
~~J~~ACK REAKOFF
~~F~~RANKLIN SIMON
~~R~~AYMOND COLLINS
~~A~~NGELA DEMIENTOFF
~~P~~HIL GRAHAM
~~D~~AVID JAMES, Regional Coordinator

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P R O C E E D I N G S

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(On record)

3

4

MR. JAMES: This meeting is now in session. This is the meeting of the Western Interior Alaska Subsistence Regional Advisory Council, September 30th, 1993. I'm David James, I work for the Subsistence Management Office of the U.S. Fish & Wildlife Service. I am the Regional Coordinator, Advisory Council Coordinator for this Council and also the Eastern Interior Council. In accordance with the Federal Advisory Committee Act, I have been designated the Acting Chair temporarily, just until the Council can elect their own Chair in accordance with the Federal Subsistence Management regulations.

15

16

I'd like to start off by having each member state their name and community of residence, and that will serve two functions; it'll introduce yourselves to the audience, and second of all, it will be roll call. We'll start with Sharon.

20

21

MS. GUTLER-STRICK: Sharon Gutler-Strick from Ruby.

22

23

MR. REAKOFF: I'm Jack Reakoff from Wiseman.

24

25

MR. SIMON: Franklin Simon from Huslia.

26

27

MR. HUNTINGTON: Harold Huntington from Koyukuk.

28

29

MR. COLLINS: Raymond Collins from McGrath.

30

31

MS. DEMIENTOFF: Angela Demientoff from Holy Cross.

32

33

MR. GRAHAM: Phil Graham, Lime Village.

34

35

MR. JAMES: Okay. For the record, all principally (ph) seated members are present except for Kenneth Madros of Kaltag and Pollok Simon of Allakaket. Also, this morning, we have been joined by our Court Reporter who is Barbara Caraway. Welcome, Barbara.

40

41

COURT REPORTER: Thank you.

42

43

MR. JAMES: The first order of business, we'll have the members review the agenda, it's Day 2 in your binder, Section 1. As you can see, the first order of business we have have listed is the election of officers. The next will be a review of the bylaws, which are constituted by the Council Charter and also by the Operations Manual which is the draft

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stage, and which we do not have a copy of but you will have a chance to make some comments on that, if you wish. The next item Suggested Business, it's not listed on here, it would be the SRC appointments that you already discussed yesterday.

4
5 After lunch, at 1:00 o'clock, of course, is the beginning of public testimony, in any individuals wish to do so. And identification of regional issues is a general category as the Council sees fit. There will be opportunity for development of regulation proposals and also review of the summary sheet that is available here. And a couple of other items -- suggested items that are not listed on this would be I would like to get some direction from the Council on how to handle the annual report. And there is another item of business, it's a letter from the Kuskokwim Native Association which we will be reviewing.

16
17 This evening's session will convene to allow any additional public testimony, if there is any. Of course, finish any business from earlier in the day. We will have to determine the time and place of the next meeting. And immediately after that, we can take care of some business, the travel voucher business and whatnot; administrative work that needs to be done.

24
25 At this time, are there any suggested changes or additions?

27
28 (Pause)

29
30 MR. JAMES: There are no suggested additions or changes to the agenda. The first order of business then is the election of officers. The first officer to be elected, of course, is the Chair, and also the Council will want to elect a vice chair and a secretary. Either discussion is in order or a motion for nomination for the Chair of this committee.

36
37 MR. COLLINS: Mr. Chairman, some of us discussed yesterday possibly postponing the election until we had the full Board seated, and maybe electing a temporary chair for this meeting, and then -- to allow the other two absent members to take part in the election then.

42
43 MR. HUNTINGTON: That sounds like a pretty good idea to me (indiscernible - background noise)

45
46 COURT REPORTER: I couldn't hear you, sir.

47
48 MR. JAMES: That was Mr. Huntington, and he essentially

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was agreeing with what Mr. Collins just said. I don't mean to put words in your mouth (indiscernible).

2
3 MR. HUNTINGTON: No (indiscernible).

4
5 COURT REPORTER: Just speak up, sir, 'cause it's hard
6 to hear you.

7
8 MR. JAMES: Okay.

9
10 COURT REPORTER: There's lots of people coming in.

11
12 MR. SIMON: Well, we're missing two Board Members here,
13 we're missing two votes, Madros and Simon Pollok
14 (indiscernible) vote, and there is nobody (ph) here for open
15 (ph) for introduce (indiscernible) officer. Pollok was a
16 officer of the Board here (ph) (indiscernible). I don't know
17 (ph) -- what you say bothers me. We can have somebody there at
18 the next meeting (ph), some of us might not show up for the
19 same reason or something like that. So we could
20 (indiscernible) somebody on Board from here right now,
21 appoint (ph).

22
23 MR. JAMES: Could you clarify that for me, Franklin?
24 Are you suggesting that you -- that the Council elect a
25 temporary chair or a permanent chair?

26
27 MR. SIMON: Well, it don't make any difference to me,
28 temporary would be all right, too, you know.

29
30 MR. JAMES: Okay.

31
32 MR. REAKOFF: My first question would be, I have never
33 chaired anything and I was -- I feel that whoever's got the
34 most experience at handling that position, and then the Elders
35 of our Council should chair -- I feel should chair the Council.
36 So who all's chaired any kind of advisory committee or
37 anything?

38
39 MR. GRAHAM: Good suggestion. I haven't.

40
41 MS. GUTLER-STRICK: Ray, I think weren't you vice --
42 weren't you vice chair of our regional council?

43
44 MR. COLLINS: I've chaired a few things, yes. I've
45 been the chairman of the McGrath Committee since the mid-'70s
46 and chairman of the School Board.

47
48 MS. GUTLER-STRICK: Um-hum.

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1 MR. COLLINS: But that doesn't mean that somebody else
2 wouldn't get the experience.

3
4 MR. SIMON: I don't quite understand elections of
5 officer. Now, what do you mean by elections (ph) officer? Can
6 we nominate somebody here or -- tonight, you know (ph). As far
7 as I'm concerned, I could nominate Huntington here.

8
9 MR. JAMES: Yes, to answer your question, Franklin, any
10 member on the Council.

11
12 MR. SIMON: Yeah.

13
14 MR. JAMES: And so I suppose even somebody that's not
15 here, although they may not appreciate that.

16 MR. SIMON: Right.

17
18 MR. REAKOFF: I'll second that.

19
20 MS. GUTLER-STRICK: And I'll nominate Ray Collins.

21
22 MR. GRAHAM: Are we nominating for a temporary chairman
23
24

25 MR. JAMES: I have a suggestion here. I wonder --
26 we've had two different viewpoints stated; one was to go with a
27 temporary chair and the other viewpoint seems to be to go with
28 permanent chair. I suggest that a motion is in order to
29 decide that issue first, before we proceed. Any discussion on
30 that?
31

32 MR. GRAHAM: I'd say go with a temporary chairman, and
33 then the next meeting, we'll have everybody here and we'll see
34 how the Chairman likes it and see how we like that person. And
35 then maybe on the second meeting, make a decision on a
36 permanent Chairman.
37

38 MR. HUNTINGTON: Are you moving that, I'll second it.

39
40 MR. GRAHAM: I move that we not -- we elect a temporary
41 chairman.
42

43 MR. HUNTINGTON: Okay. I'll second that.

44
45 MR. JAMES: Okay. The motion has been made to elect a
46 temporary Chair for this committee, and it's been seconded.
47 Discussion. Question. Okay. The motion before this Council
48 to elect a temporary Chair until the next meeting. Have I
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stated that

1
2 MR. GRAHAM: Yeah.

3
4 MR. JAMES: the way you wanted? Okay.

5
6 MR. GRAHAM: At the next meeting we can

7
8 MR. JAMES: Okay. All right. That's the motion. All
those in favor signify by saying aye.

10
11 BOARD MEMBERS: (In unison) Aye.

12
13 MR. JAMES: All opposed, nay. Okay. It passes
unanimously, seven members in favor. Nominations. Okay.
Well, we already had some, is it you

16
17 MR. SIMON: Yeah, I nominated

18
19 MR. JAMES: Franklin nominated Harold.

20
21 MR. SIMON: Yeah.

22
23 MR. JAMES: Okay. There's one. And we also had
another nomination. Who was that that nominated --
Sharon

26
27 MS. GUTLER-STRICK: (Indiscernible) Ray.

28
29 MR. JAMES: for Ray. Okay. Ray Collins was
nominated by --

31
32 UNIDENTIFIED VOICE: Second (ph).

33
34 MR. JAMES: by Sharon. Point of procedure here,
should these nominations be seconded (indiscernible -
interrupted)

37
38 MR. KNAUER: A nomination does not need to be seconded.

39
40 MR. JAMES: Okay. Great. Thank you.

41
42 MS. DEMIENTOFF: I move that the nominations be closed.

43
44 MR. JAMES: It's been moved that nominations be closed.
Seconded?

46
47 UNIDENTIFIED VOICE: Second.

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MR. JAMES: Seconded. All in favor, signify by saying
aye.

2
3 BOARD MEMBERS: (In unison) Aye.
4

5 MR. JAMES: Opposed, nay. Okay. It's unanimous, the
6 nominations are closed. Okay. I propose to do it this way.
7 I'll call for Harold Huntington's name first and then Ray
8 Collins second, in the order they were nominated, and I'll
9 record just a hand vote, is that acceptable to the Council?

10
11 MR. HUNTINGTON: Can I say a few words here on my
12 behalf.
13

14 MR. JAMES: You sure can. Go ahead.
15

16 MR. HUNTINGTON: Well, I don't know if you guys don't
17 know me, but I've been Chief in my village for about four
18 years, and Mayor for about two years, and State Administrator
19 for about six years, and been on the Corporation Board for
20 about six years, and been on the Yukon Planning Board for about
21 three years, and so I've got some experience of chair
22 (indiscernible). Thanks.
23

24 MR. GRAHAM: You wouldn't mind taking on
25

26 MR. HUNTINGTON: No, I wouldn't.
27

28 MR. GRAHAM: another one?
29

30 MR. HUNTINGTON: I'm more than glad to. I think it's a
31 challenge and I'm ready for it.
32

33 MR. COLLINS: My experience has been Fish & Game
34 Advisory Committee Chair in McGrath since the mid-'70s and then
35 the School Board since '76, part of that time as Chair, and
36 then I've been on the State (ph) former Interior Regional
37 Council, the vice chair for that. So I've had some experience
38 too.
39

40 MR. JAMES: Is the Council ready for the vote at this
41 time?
42

43 MR. HUNTINGTON: I am.
44

45 MR. JAMES: The nominees are Harold Huntington and Ray
46 Collins. All those in favor of electing Harold Huntington as
47 the temporary Chair until the next meeting, please signify by
48 raising your hand.
49

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1 MR. JAMES: It appears that all seven members voted for
 2 Harold. So Harold is now the acting Chair of this Committee.
 3 And so the next order of business will be a short recess, long
 4 enough to shuffle chairs, if we feel it's necessary, and then
 5 we'll get back to in session here, just about five minutes or
 6 so. So this meeting is recessed.

7
 8 (Off record)

9
 10 (On record)

11
 12 MR. HUNTINGTON: Okay. I call the meeting back to
 13 order. And after discussion with David here, we usually go
 14 through the agenda, and it's either approved, added with some
 15 additions or whatever. But I guess I'd like to ask the
 16 audience is there anything that they'd like to add to the
 17 agenda, or the Board any additions to the agenda? We have a
 18 hand here.

19
 20 MR. SMITH: Yeah. I'd like to make a comment.
 21 Nothing, I don't believe, should be carved in stone as far as
 22 subsistence areas. And I think it's beholding upon the
 23 community to impress upon the areas that you -- that you
 24 present to try to get them to go on the thing that we've
 25 harped so much about and that has been harvest tickets. I
 26 would imagine that somewhere down the road if you don't show
 27 evidences of using these areas that you've set up as
 28 subsistence areas, that conceivably they could be taken away
 29 from you. So I think it's important that you show
 30 justification of those areas that you have made as a
 31 subsistence area and have the people understand that they
 32 should make reports so that you have something to back up your
 33 subsistence requests.

34
 35 MR. HUNTINGTON: Thank you. Is there anything else?

36
 37 MR. KURTH: I just wanted to kind of give you a little
 38 bit of information of how we're used to doing business. You
 39 know, once -- now, that the Council's got its officers, we are
 40 used to the discussion belonging (ph) over the table here. I
 41 know sometimes you have questions and you look at the audience,
 42 but generally, if you direct a question to us, we're going to
 43 be more than happy to help you in any way we can. Otherwise,
 44 we're going to try and let the Council Members themselves
 45 conduct their business. So feel free to call on any of the
 46 federal staff here if you've got a question. But otherwise,
 47 we're going to try not to -- you know, we're going to let you
 48 on your own meeting and go along at the pace you want. So if

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you look at us and we're not saying anything, it's not 'cause we won't help, but we really want you all to tell us when you want our help.

3

4 MR. HUNTINGTON: Thank you. Well, I guess this motion is in order to either accept the agenda

6

7 MR. COLLINS: Mr. Chairman, I move we adopt the agenda as presented?

9

10 MR. HUNTINGTON: Is there a second?

11

12 MR. GRAHAM: I second.

13

14 MR. HUNTINGTON: It's been seconded that we move and pass to adopt the agenda as it's presented. Let's see. I guess we're supposed to vote on that, huh? All in favor say aye?

18

19 BOARD MEMBERS: (In unison) Aye.

20

21 MR. HUNTINGTON: All opposed same sign. It's been passed. And the next order of business would be Introduction of Council charter, and I guess there's some handouts for that.

24

25 MR. JAMES: Okay. Mr. Chair, earlier, before the recess, I mentioned that the Council may want to decide whether or not they want to elect the other officers.

28

29 MR. HUNTINGTON: Um-hum.

30

31 MR. JAMES: The secretary and the vice chair. You may wish to discuss that. Thank you.

33

34 MR. HUNTINGTON: Okay. We can do that right now, I guess.

36

37 MR. JAMES: Sure.

38

39 MR. HUNTINGTON: We have a suggestion here as to election of the vice chair and secretary, is there any discussion?

42

43 MR. REAKOFF: Well, Mr. Chairman,

44

45 MR. HUNTINGTON: Um-hum.

46

47 MR. REAKOFF: I don't think that it's necessary to elect a vice chair or a secretary since we have just an

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interim chairmanship right now. So maybe when we've got all of our members together, we can have one big vote then for chairman, vice chairman and secretary.

3

4 MR. HUNTINGTON: Yeah, I think that's a good idea, too.

5

6 MS. GUTLER-STRICK: I do, too.

7

8 MR. HUNTINGTON: Anybody have any other suggestions on what, do you want to hold off on election of vice and secretary?

11

12 MR. COLLINS: I move we'll table them till the next meeting.

14

15 MS. DEMIENTOFF: I second.

16

17 MR. HUNTINGTON: It's been moved and second to table the election of vice and secretary until the next meeting. All those in favor signify by saying aye.

20

21 BOARD MEMBERS: (In unison) Aye.

22

23 MR. HUNTINGTON: All opposed, same sign. It's been passed that we elect officers at our next meeting. And I guess we'll go onto the charter next, huh. The charter for the Western Interior Alaska Subsistence Regional Advisory Council. And I guess what we're going to do is go through it line by line?

29

30 UNIDENTIFIED VOICE: And Bill could help.

31

32 MR. HUNTINGTON: And Bill here, he's the expert on that, maybe he can give us some input on this since we're a fairly new organization.

35

36 MR. KNAUER: Thank you, Mr. Chair. The -- as David explained yesterday, there are two overriding documents which constitute the authority for this Council. The first is the Section 805 of the Alaska National Interest Lands Conservation Act, ANILCA. The second are the implementing regulations, the subsistence management regulations, found in 50 C.F.R. and 36 C.F.R. that implement that. The third document is the one you have in front of you, the charter for this Council, and it is a document that is signed by the Secretary of the Interior and provides the authorization for this Council.

46

47 The Charters are written in accordance with the Federal Advisory Committee Act, FACA, and one of the things that that

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-- excuse me -- that that Act does is specify the time frame for the length of the charter and certain requirements. So there will be things in here that may seem a little strange to you, but they are things that are specified either in that Act or in regulations or manuals relating to that.

5

6 Section 1 is the official designation, your Council is
7- the official title is the Western Interior Alaska
8subsistence Regional Advisory Council. And we frequently just
9say the Western Interior Council or the Regional Advisory
10Council, in documents you'll see it differently.

11

12 The objectives and scope of activity, this I'd like to
13read in its entirety, because it is fairly important. The
14objective of the Council is to provide an administrative
15structure that enables rural residents who have personal
16knowledge of local conditions and requirements to have a
17meaningful role in the management of fish and wildlife and of
18subsistence uses of those resources on public lands in the
19region. And you will notice that that comes from ANILCA and,
20again, emphasizes the role of the rural Alaska resident.

21

22 Section 3 there is the period of time necessary for the
23Council's activities and termination date. One of the things
24that the Federal Advisory Committee Act specifies is that
25regional -- or that advisory councils, committees, boards and
26this -- it doesn't make any difference what they're called in
27accordance with that Act, but this Act -- but for this group,
28we are a Council. It specifies two year periods. And the
29Federal Advisory Committee Act indicates that if a council is
30established in accordance with the requirements of another act,
31the anniversary date is the date of the passage of that Act.

32

33 ANILCA was passed December 2nd, 1980, so December 2nd
34even numbered years is when this Council would have to renew
35its charter. And so that -- you'll see that there, subject to
36chartering every biannual anniversary. And that also
37specifies that this Council can take no act -- actions unless
38the requirements of FACA have been complied with. And one of
39the requirements is a valid charter, which you do have in front
40of you. And the chartering process is a fairly long process,
41so we will be starting in -- early next year with comments from
42this Council, if there would be any recommendations for changes
43to this charter.

44

45 The next section is the official to whom the Council
46reports. The Council is reporting to the Chair of the Federal
47Subsistence Board. That means the correspondence that you
48prepare, the reports and the Chair of this Council will be, in

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fact, presenting testimony to the Chair of the Federal Subsistence Board. David, as the regional coordinator, myself and other members are staff to assist you folks. You're not reporting through any of us.

4
5 Support services is fairly explanatory. They're provided by the Fish & Wildlife Service.

7
8 Section 6 there is the duties of the Council. And you'll notice that they follow the duties that were outlined to you yesterday; to review, evaluate and make recommendations on proposals, regulations, policies, management plans and other matters relating to subsistence use of fish and wildlife on the public lands within the region, provide a forum for the expression of opinions and recommendations, encourage local and regional participation, prepare and submit an annual report.

16
17 You'll notice Number 5 is very specific: Appoint two members to the Gates of the Arctic National Park Subsistence Resource Commission in accordance with Section 808 of ANILCA. And Number 6 is: Make recommendations on determinations of customary and traditional use. The next is perform duties in conformity with the operating manual which is the next topic, I believe, on the agenda. Number 7 is an administrative thing. It talks about estimated operating costs, and that is all that is an estimate based on a minimum of two meetings per year, the number of members of the Council, David's salary and that is a figure that we generally have to put in. And that figure was put in as the same for all of the councils here in the State.

30
31 Section 8 is meetings, this indicates that we will meet at least twice each year at the call of the Council, Council Chair, Federal Subsistence Board Chair or designated federal official with the advance approval of the Federal Subsistence Board Chair or the designated federal official who shall also approve the agenda. That is in conformance with the Federal Advisory Committee Act which indicates that the designated federal official has to approve the call of the council and also approve the agenda. It doesn't mean that they necessarily establish the agenda but they have to approve the items on it.

41
42 Number 9 specifies that this Council is composed of nine members and that they must be residents of the region. And also, that they are appointed by the Secretary of the Interior and Secretary of Agriculture based upon the recommendations. All of you received a letter of appointment signed by Secretary of Interior, Bruce Babbitt. That letter was sent with the concurrence of the Secretary of Agriculture.

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That section also continues that when there is a vacancy, the Secretary will appoint individuals in accordance with that previous information; that they be members -- that they be residents of the region and be knowledgeable and experienced in matters relating to subsistence.

5

6 Terms of office. Term of office is generally three
7 years, except for the first appointees, who will serve either
8 one, two or three year terms; the purpose of that is to achieve
9 a staggering of membership such that two-thirds of the members
10 will always remain from one year to the next. There will --
11 but that also means there will be on-third of the members that
12 will be either up for reappointment or might be replaced. This
13 also specifies that if resigning prior to the expiration of a
14 term, members shall provide a written resignation. So if any
15 member, for whatever reason, whether they -- the press of other
16 personal business, work or moving out of the region, feel it
17 appropriate to resign, there is a requirement for a written
18 resignation. The Chair is elected for a one year term from the
19 membership.

20

21 Removal of members. If a member misses three
22 consecutive, regularly scheduled meetings, the Chair of the
23 Board may recommend -- it doesn't say will, it says may
24 recommend that the Secretary of the Interior, with the
25 concurrence of the Secretary of Agriculture to remove that
26 individual.

27

28 Compensation. Members of the Council shall receive no
29 compensation as members. Members shall, however, be allowed
30 travel expenses, including per diem, in the same manner as
31 persons employed intermittently in government service. We'll
32 be talking about that at the close of business today, about per
33 diem and covering of expenses.

34

35 Number 10 there, Section 10, is the designated federal
36 officer. The designated federal officer, pursuant to
37 Section 10(E) of the Federal Advisory Committee Act, shall mean
38 the Federal Regional Coordinator or his or her designee; in
39 this case, that's David James is the Regional Coordinator for
40 this region.

41

42 And then Section 11 sets forth the authority under
43 which this Council was established, again, the Alaska National
44 Interest Lands Conservation Act, ANILCA. And you'll notice
45 that the Secretary of the Interior at the time, Manuel Lujan,
46 signed this on January 19, and the critical date is the
47 date the charter was filed, which is February 9th, 1993. There
48 are specific filing requirements that we have to do. It has to

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be filed with the Library of Congress and the General Services Administration, which is the agency tasked with administering the Federal Advisory Committee Act.

3

4 Does anybody have any questions about the charter?
Thank you.

6

7 MR. SIMON: I got a question here on these members
Here. I'm on here for a year. I'm here -- I'm on for one year
According to the letter I got from Babbitt. I like to be on
for another couple years. Anybody can (ph) recommend that or
something like that.

12

13 MR. COLLINS: They staggered the first terms is what --
He's asking for one, two and three

15

16 MR. KNAUER: That's correct. Some of you -- one-third
of you received appointment for three years, one-third for two
year and one-third for one year.

19

20 MR. SIMON: Yeah.

21

22 MR. KNAUER: We will be starting in early spring the
recruitment process to fill the terms of those of you that
received a one year appointment. Those of you that didn't
receive a one year appointment can certainly express your
desire to continue and -- in your position.

27

28 MR. COLLINS: All the other terms will be three years
from now on when they begin (ph) again.

30

31 MR. SIMON: Okay. What happens after like I'm on for
one year, then when does that begin, last February or this year
or what?

34

35 MR. KNAUER: It would begin on your -- on the
appointments, that begins from the date of the letter of your
appointment which is, I believe, August 11th.

38

39 MR. SIMON: Yeah.

40

41 MR. KNAUER: So that's when those -- your appointments
expire. They're not -- they are not tied to this charter as of
right now. Does that answer your question?

44

45 MR. SIMON: Yeah. I still don't get it (ph) because
right now, this is the first time one of these hearings (ph)
(indiscernible). And back from (ph) today till next year
around this time, I can't (indiscernible) after October --

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August next year, 'cause my term will be expired, see.

1

2 MR. KNAUER: Right. But hopefully, either you would be
3eappointed, if you so desire, and if the Secretary and the
4Federal Subsistence Board -- the Federal Subsistence Board, you
5know, recommends you for reappointment, and the Secretary
6eappoints you. If you were reappointed, it would be for a
7three year term then.

8

9 MR. SIMON: Do you have to fill out another report or
10 do you have to

11

12 MR. KNAUER: Another application?

13

14 MR. SIMON: Yeah.

15

16 MR. KNAUER: We haven't gotten that far yet, we may do
17 -- resurrect your old application.

18

19 MR. SIMON: Well, it's open for questions (ph) so I'm
20 just asking you.

21

22 MR. REAKOFF: I was wondering would the Federal Board
23 make those appointments and on their agenda before that August
24 that would be the spring meeting?

25

26 MR. KNAUER: We will start the -- because this is a
27 public group, we do have to open the vacancies up to
28 applications from anybody.

29

30 MR. REAKOFF: Um-hum.

31

32 MR. KNAUER: This Council can recommend that Franklin
33 and the other members that are indicated for one year be
34 appointed if they so desire. The Federal Board then makes
35 their recommendations to the Secretary, and they could then,
36 also, recommend that those individuals be reappointed for three
37 years. We will be starting that in the spring, because it does
38 take a period of time to do the recruitment and to provide the
39 paperwork that's necessary for forwarding to the Secretary of
40 the Interior.

41

42 MR. REAKOFF: My concern is that sitting on the SRC for
43 dates, there's been real lax and timely appointments, we just
44 take slide on off and we're not really sure what's really
45 happening. And I was wondering if the Board was going to be
46 more in line with these dates, these August 11th dates and so
47 forth

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MR. KNAUER: We are going to make every effort to.

1
2 MR. HUNTINGTON: So do we have to approve or adopt this
3 charter now or

4
5 UNIDENTIFIED VOICE: There is an emergency phone call
6 for a Winchell Tilkner at the hospital.

7
8 MR. KNAUER: No, Mr. Chair. This charter is the
9 establishing document for this council. No action is
10 necessary, other than recognizing that you, in fact, all
11 understand your duties and responsibilities under it.

12
13 MR. COLLINS: I had a question. You said that this
14 will be renewed, it'll be 1984 (sic), so it'd be this next year
15 they'll be working on it for renewal again, right, before
16 December? And at that time or before that date, we could
17 suggest changes in the next charter, if there was something
18 that we wanted to modify or change?

19
20 MR. KNAUER: That is correct. Now, some of the items
21 are pretty standard, but there are other items that might be
22 appropriate for recommendation. One of the things might be the
23 number of members on the Council, if you feel that nine is just
24 totally improper, for whatever reason, that there should be
25 only seven or

26
27 MR. COLLINS: Well, one I made note of was on removing
28 members here. That a member would not be removed until he's
29 missed three meetings. Well, if we're only going to meet twice
30 a year, that means you could have a seat vacant for a year and
31 a half. That seems like an awfully long time. I know three is
32 standard, but most meetings take place monthly or something
33 like that. You'd be waiting a year and a half before you could
34 even consider removing someone. And -- well, that's not up for
35 discussion not, but I was wondering is that firm or could it go
36 two or something; if somebody missed a year, I would think
37 that that would be enough to consider.

38
39 MR. KNAUER: That is one of the particular items that
40 we could entertain recommendations for change on.

41
42 MR. COLLINS: Yeah. It may not be a problem, this may
43 be an active board, but if somebody did become inactive, you'd
44 hate to have a seat vacant for a year and a half.

45
46 MS. GUTLER-STRICK: Would it be appropriate to say that
47 they would be unexcused absences; like in the case of a medical
48 emergency, that would be excused or whatever; that we may want

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to write something like that in. But I think the recommendation of one year is good. I'm thinking of the weather, keeping us -- you know.

3

4 MR. HUNTINGTON: So when will be a good time to do some amendments to this?

6

7 MR. KNAUER: We will be requesting to place the discussion for changes on this on your agenda, probably at your next meeting. But we did want to provide this to you now, you'll have a chance to go over it and ask some questions. And this way, you'll be able to look at it and think about it during this winter period here.

13

14 MR. HUNTINGTON: Is there any other discussion on the Council's charter? Well, hearing none, we'll go onto the next thing on the agenda, and this was added, it's SRC appointments. And if Clarence or Steve can come and maybe explain a little bit on that part.

19

20 MR. ALBE: Thank you, Mr. Chairman, Steve Albe with the National Park Service, Subsistence Manager for Gates of the Arctic National Park. And if you prefer, I could lay the situation out again the way I see it. We've -- Clarence Summers from our regional office and I and others have discussed this.

26

27 There's some complicating factors, but as the letter from the Regional Director of the Park Service here in Alaska requests that you consider the nominations of the two individuals to the Gates of the Arctic Subsistence Resource Commission. Now, we set that up based on discussions at the Subsistence Resource Commission, and the fact that Anaktuvuk Pass was originally included within this Western Interior Region. As a result, a request from the Mayor there, this summer, the boundary was redrawn to include Anaktuvuk Pass in the Arctic Region.

37

38 So the way it seems to me, I guess my recommendation would be, that Pollok Simon, who's also a member of this body, is a current, standing member on the SRC appointed by the old State Interior Regional Council. So I guess I would suggest that you consider reappointing Pollok Simon to a three year term on the SRC.

44

45 The second seat that is currently held by Joe Cleveland from Ambler is the one that becomes complicated, because he does not live within the region, and that would be the seat that you folks would consider appointing another individual. I

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guess my -- what I plan to do is that in mid-October, we will be having a Subsistence Resource Commission meeting in Fairbanks. One of the things on the agenda will be to discuss this issue and see how the SRC members feel about representation. And my suggestion to them will be that Anaktuvuk Pass is a very important community for subsistence use in the park. And I think that now that they are within Region 10 it will work nicely to change the charters for both this body and the SRC next time around, so that each regional council -- each of the three regional councils appoints one seat to the SRC.

11

12 So I guess having said that, I would suggest that you consider reappointing Pollok Simon and that, perhaps, you consider tabling discussion of this other appointment until your next meeting. And I think by then, a couple things would have become clear. The most important of which would be the SRC's recommendation about this whole thing.

18

19 MR. HUNTINGTON: Well, it's been discussed that I guess probably the best bet is to have Pollok Simon reappointed, if there's no objection.

22

23 MR. SIMON: I will second that Pollok reappointment.

24

25 MR. REAKOFF: I was going to second but

26

27 MR. HUNTINGTON: We better have a motion, though, probably.

29

30 MR. REAKOFF: I don't know, he's the second (ph).

31

32 MR. HUNTINGTON: I introduce the motion to have Pollok Simon

34

35 MR. SIMON: Yeah, I'll reappoint Pollok Simon.

36

37 MR. REAKOFF: Um-hum.

38

39 MR. HUNTINGTON: Second.

40

41 MR. REAKOFF: Um-hum.

42

43 MR. HUNTINGTON: It's been moved and seconded to have Pollok Simon appointed to the SRC. All those in favor, signify by saying aye.

46

47 BOARD MEMBERS: (In unison) Aye.

48

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MR. HUNTINGTON: All opposed, same sign.

1

2 MR. COLLINS: Mr. Chairman, I move that we table the
3 second appointment till our next meeting waiting for the
4 comments from the other regional councils.

5

6 MR. HUNTINGTON: It's been moved to table the next
7 appointment until the next regional council, is there a second?

8

9 MR. REAKOFF: Second.

10

11 MR. HUNTINGTON: It's been moved and seconded to
12 appoint -- to table the appointment till the next meeting, all
13 those in favor, signify by saying aye.

14

15 BOARD MEMBERS: (In unison) Aye.

16

17 MR. HUNTINGTON: All those opposed, same sign. Tabled
18 all the next meeting.

19

20 MR. COLLINS: Mr. Chairman, I move that we draft a
21 letter to the Eastern Interior Regional Council and the -- what
22 is it -- Southcentral

23

24 MR. KNAUER: Yes.

25

26 MR. COLLINS: on the Denali Park appointments,
27 because we have two resident communities within our region but
28 seats on the Board as now designated, and that we bring this
29 their attention and ask they discuss that. Previously, we
30 were with the Eastern Regional Interior Council and we made the
31 appointment, we appointed somebody from Telida. But now we're
32 not -- we've been separated from that group, we won't (ph) be
33 asked to make an appointment. And we've got Nikolai and Telida
34 our region that are in that area but not -- well, I
35 shouldn't discuss -- that's my motion, that we draft a letter
36 them pointing out the situation.

37

38 MR. GRAHAM: Now, who is the letter going to, to
39 the

40

41 MR. COLLINS: The two seats are in the Anchorage area
42 and one seat is in the Eastern right now.

43

44 MR. GRAHAM: Um-hum.

45

46 MR. COLLINS: It'd be like we just faced in this one,
47 where we have two seats and we only made one appointment
48 because now one of the seats is held by a region that doesn't

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have a seat. We have the same situation with Denali, and I suggest we draft a letter to those others and ask them considering designating one of the seats to our Council.

3
4 MR. GRAHAM: Can I

5
6 MR. COLLINS: Is there a second to that? I don't know.

7
8 MR. GRAHAM: Well, is that a motion?

9
10 MR. COLLINS: Yeah. That was a motion that we write to them.

11
12
13 MR. GRAHAM: Well, this might go along with the same thing that Lime Village is close to Lake Clark National Park, and our Western Interior doesn't have a representative on that SRC, and maybe we want to put somebody in there too, maybe the same sort of letter could go to the Lake Clark people too.

14
15
16 MR. COLLINS: I'd be willing to adopt the motion to include that, if you want, and also write a letter concerning Lake Clark, if you want to do that.

17
18
19 MR. GRAHAM: Yeah. I'm not sure if we do, but we -- how many people are on these SRCs at each park?

20
21
22 MR. SUMMERS: Well, Mr. Chairman, there are

23
24 MR. HUNTINGTON: There's nine. Nine members.

25
26
27 MR. SUMMERS: nine members on the Subsistence Resource Commissions; three appointed by the Governor, three appointed by the Secretary of Interior and three appointments are made by regional councils, the appropriate regional councils.

28
29
30 MR. GRAHAM: What Ray was saying about Denali I think applies to Lake Clark, and maybe the same sort of letter is -- do you want to include Lake Clark in your motion?

31
32
33 MR. COLLINS: I will if you'll second it.

34
35
36 MR. GRAHAM: I'll second it.

37
38
39 MR. SUMMERS: Mr. Chairman, just a little more background on this situation. The boundaries for the new Region -- Regional Council Program are new. Under the old State program, I guess it's my impression that membership and appointments function well. But with these new boundaries,

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knowing where they are now on the map, I think Ray's made a good point. The Commission's -- the charters were approved and appointment authority identified in the charters but, you know, that can change. These charters are simp- -- the charter for the Commission's similar to yours, the authority comes from EACA, the Federal Advisory Committee Act. So if you decide to make a recommendation that will affect appointments, that's within your purview, within your authority to do that.

8

9 A number of the national parks, we'll use Wrangell/St. Elias as an example; it's a large area, and the park boundary is affected by -- well, Southeast, Eastern Interior and Southcentral, so it representative comes from each region. And so I think you're on the right track, if you're trying to get representation from your region on the Commissions by making the recommendations that you're discussing at this time.

16

17 MR. HUNTINGTON: Can you restate that motion?

18

19 MR. COLLINS: Yeah. I move that we draft a letter to the Eastern Interior and the Southcentral Regional Councils and the Lake Clark Regional Councils requesting that they consider Nav- -- designating one seat to our region in the respective committees or --

24

25 MR. GRAHAM: SRC?

26

27 MR. COLLINS: SRC, yeah, that we be design- -- that we be allocated one SRC seat in each unit since part of those parks are in our area. That's kind of a long motion

30

31 MR. HUNTINGTON: Yeah, that's a long motion (indiscernible - voice lowers). It's

33

34 MR. COLLINS: I think part of it would come into discussion, I guess, you know (ph).

36

37 MR. JAMES: Also, for clarification of where the letter the second letter is to go, Lake Clark does -- it's -- occupies, in a sense, three of those regions.

40

41 MR. COLLINS: So it would go to three then?

42

43 MR. JAMES: So if you want to send -- you have to go to well,

45

46 MR. COLLINS: The other two.

47

48 MR. JAMES: three including this one. So, the

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same situation for Lake Clark, it would be two letters,

1
2 MR. COLLINS: Okay.

3
4 MR. JAMES: I guess, to two different -- two of
5 the regional

6
7 MR. COLLINS: And the Secretary of the Interior also, I
8 suppose, should be copied that, because he -- they were written
9 -- he has to renew the charters, right?

10
11 MR. ALBE: I would suggest that you copy a letter to
12 the Regional Director of the Park Service here, and which is a
13 standard requirement when you make a reappointment or an
14 appointment or suggestion about an appointment or suggestion
15 about an appointment. And I think the important thing is here
16 that what Congress intended with the Subsistence Resource
17 Commissions for the parks was is that people closest to the
18 resource use and the issues most affected by the creation of
19 that park area should have a voice in the subsistence
20 management in that park area.

21
22 And so, I suggest that you'll probably get a little bit
23 of direction from the SRCs now that these bodies, such as this,
24 are up and running as to how they feel those appointments
25 should be shifted around. In our situation, at Gates of the
26 Arctic, it's just that Anaktuvuk Pass was in this region, and
27 of this summer was no longer. So we feel that it's
28 appropriate to look at the Arctic having one seat appointment.
29 We

30
31 MR. COLLINS: Well, the same is true. We -- see, we
32 were in the Interior Region and now we're out of it; it's just
33 split into Eastern and Western, so the same thing happened.

34
35 MR. ALBE: That's right. And we can -- we, with the
36 SRC, can address this when the charter comes up for renewal,
37 and you have that same opportunity here as well as the other
38 items that you discussed earlier. I think what you've come to
39 with Gates of the Arctic is a very reasonable solution with the
40 appointment of Pollok and tabling the second seat for now.
41 And we'll see what the SRC has to say about it.

42
43 MR. SUMMERS: Mr. Chairman, just for your information
44 regarding to membership, our charter allows a member to
45 continue to serve until action's taken by the appointing
46 source. And so it's a similar situation where the term of
47 appointment is for three years, but if the appointing source
48 fails to take action, that individual continues to serve beyond

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that three year period, sometimes reappointment takes awhile depending on a number of things. That's just one point I wanted to make in regards to the term of appointment and the ability of a person to continue to serve until the appointing source takes action to either reappoint or

5

6 MR. COLLINS: Steve Eluska from Telida is filling one of the seats, isn't he, so a member from our area is filling one of the seats currently.

9

10 MR. ALBE: So he'll continue to serve in that position until action is taken.

12

13 MR. HUNTINGTON: Mr. Reakoff.

14

15 MR. REAKOFF: Mr. Chairman, I would just like to direct a question to Bill Knauer. Would the Federal Board be -- do you think that changing our charter to include that language that Clarence discussed about our SRC charters that we have a three year term -- and what was the exact language -- until the appointing source makes another appointment, a three year term. But it allows leeway, like I would hate to see Franklin cut off of our Council 'cause the Board gets screwed up during the summer or something. Would that be a favorable -- or a prudent recommendation to the Federal Board?

25

26 MR. KNAUER: I would think that that would be something that you would want to make a recommendation on in February when we discuss the charter, that to me sounds very reasonable. Also, in February, that would be the appropriate time to -- having had communication with the other councils, to make a recommendation that your charter be revised to include the appointing -- the appointment of the SRCs. Their charters will also, I believe, be up for renewal next year, so it will coincide very nicely. There would be the opportunity to make sure that the SRC charters and your charter, as well as the other affected council charters, reflect the consensus on those appointments.

38

39 MR. SIMON: I have a question here for the Chairman. We're at (ph) this meeting here, we're talking about Anaktuvuk and this lower Kuskokwim stuff. I would like for one of these members to go to one of their meetings over in -- Nana Corporation over in Anaktuvuk, someplace, so we know what's going on, you know, like we have a meeting here. We don't know what their opinions or what they're doing over there. It'd be a good idea to have one of these members here go over there and attend their meeting or -- you know, so the next time this is a meeting like this, we'll know what we're talking about instead

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of just saying we're talking about Lower Yukon, Upper Koyukuk and over in Nana region and stuff like that. You know, you're just guessing right now, and it would be a good idea to have somebody over there and get their information, write it down and put it on the book (ph). And we'll have something to say for them (ph). Since we're -- like Joe Cleveland, he's from Kobuk, I don't know (ph) how he's on there, so I don't think (indiscernible) to say anything about them or whoever it is, you know.

9

10 MR. ALBE: Mr. Chairman, a comment on that. I appreciate what Franklin is saying. One thing you have sitting on this Council are several people who also currently sit on Park Subsistence Resource Commissions, so you've got a very nice interchange of information and knowledge right at the table. I don't know that Lake Clark has an SRC member here, I guess -- but Denali and Gates of the Arctic do.

17

18 The other thing is is that this Regional Council and the Coordinator are already on the mailing list for all activities of the Subsistence Resource Commissions. So you will be receiving all of the recommendations, and the agendas and the plans for meetings and that kind of thing. So there will be an opportunity keep up with the activities of the Subsistence Resource Commissions. And they also will be using this body and the other regional councils as a sounding board to review and make comment on all of the things that they propose. That was the original intent of Congress, that the two groups interact very closely on park subsistence issues.

29

30 MR. HUNTINGTON: Is there any other discussion on this? We have a motion on the floor to send out letters to the Eastern, Southcentral and the Lake Clark regional councils.

33

34 MR. COLLINS: The Bristol Bay, I guess, is the other one, is that right?

36

37 UNIDENTIFIED VOICE: Yes.

38

39 MR. COLLINS: Yeah (ph).

40

41 MR. HUNTINGTON: Bristol Bay, is that Lake Clark area?

42

43 MR. COLLINS: Yeah. Yeah. That's the one down here (ph).

45

46 MR. HUNTINGTON: We send them a letter to

47

48 MR. COLLINS: Requesting that we be designated seats on

49

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the Denali SRC and the Lake Clark SRC.

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2 MR. HUNTINGTON: Is there a second?

3
4 MR. GRAHAM: I'll second it.

5
6 MR. HUNTINGTON: It's been moved and second to send a letter to the Eastern, Southcentral and Lake Clark regional councils to have us appointed a seat on those regional councils.

10
11 MR. COLLINS: Yeah.

12
13 MR. HUNTINGTON: Discussion. Questions? Ready for a vote on that? All in favor of the motion, signify by saying Aye.

16
17 BOARD MEMBERS: (In unison) Aye.

18
19 MR. HUNTINGTON: All opposed, same sign. It's been moved and approved that we send some letters out. And going now to our next item on the agenda, let's see, draft Federal Subsistence Regional Advisory Council Operations Manual. And I guess Bill here has the information on that.

24
25 MR. KNAUER: Thank you, Mr. Chair. That is the fourth document that will provide the operating guidelines for this Council; the other three ANILCA, the regulations and the Charter that we just went over. That operations manual is currently in a draft stage. It will contain things such as the requirements under the Federal Advisory Committee Act, as far as meeting notice, accessibility to the public, public comment, the duties of the three officers, the duties of the council, the duties of the Regional Advisory Committee coordinator. It also explains a little bit about the two annual reports, the BACA annual report and the ANILCA annual report and other operating guidelines, such as what constitutes a quorum and things like that.

38
39 You will receive a copy while it is in its draft stage for comment, as will all of the other regional councils. We hope that will be coming up within the next couple of months, but we just wanted to let you know what the status of that was and the fact that you will be receiving a copy to review and comment on.

45
46 MR. HUNTINGTON: Is there any questions on this draft Federal Subsistence Regional Advisory Council manual?

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MR. SIMON: I got a question there. Like you said in a couple of months and things can change quite a bit in a couple of months. If they started now or two months back, what do you mean by a couple of months?

4

MR. KNAUER: We have been working on it for I think about a year trying to put this together. And every time our coordinators have met and gone along, we have come up with other suggestions and ideas. We based -- initially, based it on the operating manual for the State regional councils and local advisory committees, came up with some ideas and a framework there, but recognized that there were also some requirements under FACA that we had to include. So it has been a fairly complicated process. We have got, I think, most of the ideas, that we're now trying to simplify some of the language in it and try and get out some of the bureaucratic parts that we really don't need; make it as understandable as possible to all people.

18

So you -- I think you will find in -- as being now part of the bureaucracy yourselves, that things sometimes move a little slower than you would like.

22

MR. SIMON: So, in other words, it's a year old, right?

24

MR. KNAUER: But it's never been put into effect, it's still a draft; it's on about the fourth or fifth draft version right now.

28

MR. HUNTINGTON: So when would be an estimated time that it would be completed?

31

MR. KNAUER: I'm hoping that within the next two months we will be able to have a draft out to you folks for review.

34

MR. GRAHAM: Does this -- I mean, is -- the one you're working on is a legal document or -- I don't quite understand.

37

MR. KNAUER: It is more of the instructions. It's almost like a Roberts Rules of Order as far as telling what the requirements are for the Council to operate under. It's not quite that specific, but it takes about the requirements; for example, because this Advisory Council has to operate under the 43 under FACA, FACA has the requirement that there has to be notice published in the Federal Register and in the local newspaper at least 15 days in advance of the meetings. That's there, that's one of the examples of things that talks about public meetings.

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It specifies that your meetings have to be open to the public and an opportunity provided for public input. Well, certainly, that's one of the things you want to do, but it's one of the things that we have to write. It says that records of your meeting have to be accessible to the public. And one of the ways we're doing it is the meeting summary minutes that Dave is taking and the transcript that will be conducted by each of -- by the Court Reporter for each of your meetings. And it says where the record -- those records will be kept so that they're accessible to the public. Things like that occur.

10
11 So this notebook that you got today is more background
12 information for you and not so much a manual.

13
14 MR. HUNTINGTON: Mr. James.

15
16 MR. JAMES: Bill, it's -- I'm not sure if I'm correct
17 here, but as I recall, an operating manual is required, is it
18 not? I think it's either in the federal regulations or in FACA
19 or both, I'm not sure which, but that's part of being a federal
20 advisory committee is there will be -- in this case anyway,
21 that there will be an operating manual. So it's one of those
22 things. It's not something we dreamed up.

23
24 MR. GRAHAM: Okay. And then you got FACA, what
25

26
27 MR. KNAUER: FACA is the Federal Advisory Committee
28 Act.

29
30 MR. GRAHAM: Okay.

31
32 MR. KNAUER: And like I said, that is an Act, it
33 applies to the Subsistence Resource Commissions but it applies
34 to any group -- organized and established group of people that
35 are brought together specifically to provide continuing advice
36 to a body of government; in this case, you're providing it to
37 the Secretary of Interior, but it might be to someone else, you
38 know, some other organization. But the idea was to provide
39 some uniformity and consistency and openness in that process.

40
41 MR. SIMON: Then in other words -- excuse me, you were
42 talking about drafting it like at (ph) this meeting here, we'll
43 have them today or are they (ph) -- that'll come up next year
44 -- you're a year behind on this book here so, that's what
45 we're saying here, right now, is we come up in two or three
46 months, right?

47
48 MR. KNAUER: One of the -- we had hoped to have it for
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this meeting, but then the suggestion was made that since it will affect the operation of these councils, it would be appropriate for the Council Members themselves to have an opportunity to review it and comment on it before it becomes final. So we, in fact, did delay that and are using it to do another draft so that the Council Members can comment on it. We certainly recognize that 84 members, there's a lot of experience and intelligence there that might have some really good ideas on this for revisions to this before it becomes final.

10

11 MR. HUNTINGTON: Sharon.

12

13 MS. GUTLER-STRICK: I have a question for Bill. Did you want any input from us before you come out with this in two months? In other words, if we have any recommendations now, do you want to hear it or is it in stone already (indiscernible)?

17

18 MR. KNAUER: It is currently a draft, it will be a draft when you receive it.

20

21 MS. GUTLER-STRICK: Um-hum.

22

23 MR. KNAUER: You can either make comments then or I will certainly take notes and see if I can incorporate it now, what's at the pleasure of the Council and the Chair.

26

27 MR. HUNTINGTON: Well, Sharon.

28

29 MS. GUTLER-STRICK: I had a couple of suggestions. First of all, a question, you said something about publishing in a local newspaper. What is the time frame of that, is it publish it for a week or 10 days, the publishing of a meeting?

33

34 MR. KNAUER: Most of the announcement process is handled by a subgroup within our office called Publications and Public Involvement, and they normally try to have it in multiple issues of newspapers. They try and publish -- well, they do publish with display ads, not back in the legal section, but regular display ads like in the Anchorage Daily News, which does receive statewide circulation. And then if there is a regional or a local newspaper; well, such as the Tundra Drums or something like that; they also try and publish in multiple issues. I don't know the exact -- how many times they do it, but they do try and do multiple issues on that.

45

46 MS. GUTLER-STRICK: So it would -- those are almost regional newspapers because most of us don't have local newspapers, as you probably know. We have a radio in this area

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for

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2 MR. KNAUER: Right. We also use Public Service
 Announcements and something called Enhanced Public Service
 Announcements which, in fact, we can specify the time of
 Announcement and so on.

6

7 MS. GUTLER-STRICK: I was going to suggest our TCC
 Council paper.

9

10 MR. HUNTINGTON: We have a few questions here from the
 crowd, and I'll go to the hands I see first. Winchell, do you
 have a question?

13

14 MR. TILKNUR: Yes. I was just wondering if the
 audience here can ask questions at any time or is this locked
 into the Board here?

17

18 MR. HUNTINGTON: Well, I suggest you can ask questions
 any time.

20

21 MR. TILKNUR: Okay. Well, I got a question here. It
 says -- you know, it doesn't specify that your -- that this
 Council's meeting is locked into -- or the region it represents
 -- you know, this twice a year or is it -- or can they hold
 in Anchorage, for instance, or in Fairbanks or wherever?

26

27 MR. HUNTINGTON: Well, Dave here might have an answer
 for that.

29

30 MR. JAMES: Let me see, how do I want to answer that.
 No. It doesn't have to always be here.

32

33 MR. TILKNUR: In the region?

34

35 MR. JAMES: That's a good question. No. No, it
 doesn't have to be in the region.

37

38 MR. TILKNUR: And the other question I had was it says
 that there will be two meetings per year, does that include the
 early meeting where you have to review the charter? I guess
 I'm reading it wrong (ph) but

42

43 MR. JAMES: First of all, Winchell, it says at least
 two meetings a year.

45

46 MR. TILKNUR: At least two meetings.

47

48 MR. JAMES: At least two. Now, I didn't quite get the

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second part of the question.

1

2 MR. TILKNUR: I was asking if that -- does that include
the December 2nd when you -- each year when you have to review
the charter or the Board has to review the charter?

5

6 MR. JAMES: If you're asking if there has to be a
meeting at that time of the year, no.

8

9 MR. TILKNUR: Well, I guess (ph)

10

11 MR. JAMES: No. That process is long and drawn out, it
will be keyed to -- you know, to occur before the appropriate
meeting at which action has to be taken, I guess is the way to
answer that.

15

16 MR. HUNTINGTON: Do we have another question over here?
Jack.

18

19 MR. SMITH: Yes. I would like to pursue what Sharon
was saying, that most of the people out here in these villages
do not receive the Federal Register. And I'm sure if we were
to ask people in this room how many of them read the Federal
Register, I would say that maybe one or two might, if they're
in the process. As far as the publication in a local paper, by
the time we get our papers out here, they're three or four days
old and sometimes much older than that.

27

28 I think it's beholding upon -- on any of the notices
that you receive, if you're going to get proper public input,
you must let the public know what is going on. And the only
way you're going to do that, because not everybody listens to
the radio, not everybody listens and watches Channel 9 which is
our only other public T.V., is that you should pursue the
possibility of four notices in each one of these villages;
perhaps, the Post Office, the store, one or two places.
Otherwise, you're not going to receive public input because the
public is not aware of what is going on.

38

39 I attended an Air Force meeting last night, that was
the very thing. They said we put it in the local newspaper, we
have no local newspaper. A lot of village -- all the people
that were here in McGrath that was at that meeting, not of them
gets a Anchorage paper. And so I would suggest strongly that
if you're going to get the coverage from the villages, and I
think it's your responsibility to let the villages know what
they're doing, is that you should put it in public places like
the Post Office and the others. I think that's the
responsibility that you have.

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1 MR. HUNTINGTON: And I think that's a pretty good
 2 suggestion there, that it's hard to get communications in the
 3 Bush now. So any way that you can do it helps out. Do you
 4 have anything else on that, Bill? Any other discussion on the
 5 manual?

6
 7 Well, hearing no other discussion on it, and looking at
 8 the agenda, it looks like it's time for lunch, which is kind of
 9 early. Maybe we can rearrange the agenda or something. Any
 10 suggestions or -- Phil.

11
 12 MR. GRAHAM: Since I didn't get here yesterday until
 13 late and Angela was late, Bill (ph) came late, we didn't meet
 14 the staff members. I think you people met, and maybe they
 15 could -- we could get some names.

16
 17 MR. HUNTINGTON: For Phil and for the people that
 18 weren't here yesterday, we have two Council Members that are
 19 Native, there's Phil Graham from Lime Village and Angela
 20 Demientoff from Holy Cross. And they want to know who some of
 21 you people are and maybe, I guess I suggest you can all, you
 22 know, just state your name and your agency you're from,
 23 representing, you know, and just go -- and we can start from
 24 this gentleman here.

25
 26 MR. KOVACH: My name is Steve Kovach, I'm the chief
 27 biologist for the Subsistence Program with the U.S. Fish &
 28 Wildlife in the main office in Anchorage.

29
 30 MR. DeMATTEO: My name is Pete DeMatteo,
 31 Koyukuk/Nowitna Refuge based of Galena, I'm the Subsistence
 32 Coordinator there.

33
 34 MS. SAPERSTEIN: Lisa Saperstein, I'm a wildlife
 35 biologist at the Koyukuk/Nowitna Refuge.

36
 37 MR. EARLY: I'm Tom Early, Refuge Manager of the Kanuti
 38 Refuge just south of Bettles.

39
 40 MS. MORKELL: Ann Morkell, I'm a wildlife biologist
 41 with BLM Kobuk District, which is in the northern part of this
 42 particular (ph) region.

43
 44 MS. REID: I'm Laura Reid, Assistant Manager here at
 45 Enoko in McGrath.

46
 47 MR. YASKA: And I'm George Yaska, Director of
 48 Wildlife & Parks for the Tanana Chiefs Conference.

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1 MR. ALBE: And I'm Steve Albe, Subsistence Manager for
2 Gates of the Arctic National Park.

3
4 MR. SUMMERS: Clarence Summers, National Park Service
5 Regional Office, Subsistence Division.

6
7 MR. MERRITT: I'm Ed Merritt, Manger of the Innoko
8 Refuge stationed here in McGrath.

9
10 MR. KURTH: I'm Jim Kurth, I'm the Deputy Assistant
11 Regional Director for the Fish & Wildlife Service and
12 Subsistence Program in Anchorage.

13
14 MR. YOKEL: David Yokel, a wildlife biologist for the
15 Bureau of Land Management's Arctic District. And I'd like to
16 add also that Jeff Denton from our Anchorage District was here
17 Tuesday evening and all day yesterday, and he had to leave this
18 morning to attend a similar meeting in Nome.

19
20 UNIDENTIFIED VOICE: I don't know if Winchell wants to
21 introduce himself.

22
23 MR. SEAVOY: My name is Roger Seavoy, I work for the
24 Department of Fish & Game, I'm the acting area biologist here
25 McGrath for Jack Whitton (ph) until February when he
26 turns.

27
28 MR. ARVEY: I'm Bill Arvey with Fish & Game Sport Fish
29 out of Fairbanks, area biologist.

30
31 UNIDENTIFIED VOICE: Got it.

32
33 MR. GRAHAM: I wish we could have been here yesterday
34 get that infor- -- you know, one at a time.

35
36 MR. HUNTINGTON: And have you met all the other Board
37 Members?

38
39 MR. GRAHAM: Hum?

40
41 MR. HUNTINGTON: Have you met all the other Board
42 Members?

43
44 MR. GRAHAM: Yeah. Mr. Simon.

45
46 MR. HUNTINGTON: Any suggestions on the change on
47 here (ph)?

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MR. JAMES: Bill has a short item.

MR. HUNTINGTON: Okay. Bill has a item to discuss.

MR. KNAUER: Thank you, Mr. Chair. I have here a letter that the -- that Mr. Ron McCoy, the Chair of the Federal Subsistence Board received relative to the membership on this Council. I think it's appropriate that you be aware of this letter, attached to it is Mr. McCoy's response. And this letter relates to the fact that the community of Aniak does not have a member sitting on this Council.

(Pause)

(Side conversations)

MR. KNAUER: As we mentioned yesterday, although the ideal situation would be to have one member from every community represented, that is fairly infeasible just because, for example, in this region alone there are 28 communities. And we mentioned that, in fact, it's incumbent on the members of this Council to represent large areas and more than just their own community.

Also, in the area of Aniak, the river corridor that is used by the people in that area, for the most part, is not part of the federal jurisdiction; it is either corporation lands or state lands along the river and, therefore, under state jurisdiction. And that is in reference to the -- Mr. McCoy makes reference that attention was also directed to the location and use of federal lands. And he does point out that because these meetings are open, you, in fact, can solicit information from the local community, either by letter or they can have someone attend. You also, yesterday, addressed the necessity to work with adjacent regions to resolve issues of concern that are border issues. And the -- also the opportunity, because of the membership -- one-third of the membership being -- coming vacant every year that there is the opportunity for additional members or additional individuals to apply for membership, also.

But I felt it was important that you be aware of this correspondence, and the responsibility is to represent areas more than just a specific community. Many of you have family friends in areas throughout the region.

MR. HUNTINGTON: Phil.

MR. GRAHAM: Well, yeah, when I look at where

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everybody's from, you know, it is only Ray and I who are on the Kuskokwim side. And I mean, it does seem like Aniak or that area might -- would it be possible to add another -- some of these advisory boards have more than nine members, some have less. Could we add another, is there any -- why does the Western Interior have nine or -- I don't know who answers that.

6
7 MR. JAMES: It's easier to answer the first question,
maybe we'll have to talk about the second one.

9
10 MR. GRAHAM: Yeah.

11
12 MR. JAMES: And the answer, I think, is yes, when the
recharter comes up, you know, that that's one of the
recommendations that this body could make is to increase the
number of members

16
17 MR. GRAHAM: Uh-huh.

18
19 MR. JAMES: on the Council.

20
21 MR. GRAHAM: That would be when we look at the charter
22

23
24 MR. JAMES: When -- yeah, that's -- the charter has to
be rechartered every two years, and that means it's due next
year, and that's the process that's going to start right after
the first of the year. So yeah, there's the possibility that
you could change the number of members on this body, and it
would go into effect by the end of next year.

30
31 MR. GRAHAM: Would it be appropriate to send a letter
to these people and say maybe we'll have more members and maybe
somebody from their area will be appointed?

34
35 MR. HUNTINGTON: I think it would be appropriate to
give them some kind of answer.

37
38 MR. GRAHAM: At least they'd get a response from us and
know that we're thinking about them.

40
41 MR. HUNTINGTON: Yeah. I think it's something to
consider.

43
44 MR. GRAHAM: So I move that we send a letter to
Mr. Kameroff at the Kuskokwim Native Association and tell him
we're going to -- what are we going to do -- review our charter
we're going to -- I haven't got that yet. We're going to
review our charter in '94 and possibly add another seat.

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1 MR. COLLINS: Well, we'd have to add two seats, I
 2 think, because we're -- they usually keep an odd number, you'd
 3 have to go from 9 to 11, I think.

4
 5 MR. HUNTINGTON: Phil.

6
 7 MR. GRAHAM: Maybe -- go ahead.

8
 9 MR. KNAUER: Mr. Chair. One thing, really no matter
 10 how many seats you have, there is nothing that specifies which
 11 community your members come from. Also, if I might address the
 12 second part of Mr. Graham's thing about how the numbers were
 13 decided. Back about two years ago when the Environmental
 14 Impact Statement was ending up, and the State was divided into
 15 16 subsistence resource regions, I personally queried the -- at
 16 that time, the chairman of the State Regional Council within
 17 each area. I queried the State coordinator for each region and
 18 regional council. I queried regional and local readers and
 19 also federal land managers asking them two questions; what do
 20 you think would be an appropriate size of regional council to,
 21 one, provide adequate representation within your region and
 22 secondly, to have a council of workable size.

23
 24 I took the information from all of those sources, and
 25 that is why some councils have seven, some have nine, and one
 26 region has 13. Now again, that is not a hard and fast number
 27 now, and as Mr. Collins pointed out, when it comes time for
 28 chartering, a recommendation could be made to revise that.

29
 30 MR. GRAHAM: Let me withdraw that motion. I think we
 31 should send a letter to these guys and tell them, you know,
 32 that we want to work with them, you know, we're not trying to
 33 leave them out. And that, you know, they can get their input,
 34 you know, through -- you know, I would be the closest
 35 representative. But I don't want them working against, you
 36 know, I think they can work with us. Some sort of letter back
 37 Mr. Kameroff.

38
 39 MR. HUNTINGTON: Okay. It's been suggested that we
 40 send a letter to Kuskokwim Native Corp- -- Association stating
 41 the situation on the appointments to the Board. And I think it
 42 would be -- I think it would okay to, you know, if they sent a
 43 letter to the (ph) response to the question here. I think they
 44 have a legitimate question and, you know, I think it would be
 45 our advantage to work with them. And so if there's no
 46 objections, I think the letter is in order from this Council,
 47 and the State can come up with the specifics on that, huh?

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 49
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MR. JAMES: I was just going to ask if I'm going to be the one to draft this letter, I'd appreciate a little more direction. Would you want me to say -- to state that this Council is willing to consider a number of alternatives, one of which would be the possibility of increasing membership on this Council; am I following the line of thought here now or

6

MR. GRAHAM: Possibly, yea, a number of alternates.

8

MR. JAMES: As a possibility.

10

MR. GRAHAM: yeah.

12

MR. JAMES: But that's not specifically what you're going to do but you're willing to consider it at this time, is that

16

MR. HUNTINGTON: Jack.

18

MR. REAKOFF: Mr. Chairman, since of the members of our Council didn't show up yesterday, it was very apparent to me that we have a large area that we're dealing with, and I feel that it's appropriate in the future to add on a couple of more seats to include, possibly, Anaktuvuk and the Lower Kuskokwim. So I think it's within our prerogative to advise these people. It's my feeling that we need a couple of more seats on 'cause we have one absentee, we're really lacking; we have a real large region. And I feel, personally, that we should assure the people of the Lower Kuskokwim that we're very much in favor of changing our charter to include two more seats to accommodate areas that are under-represented.

31

MR. HUNTINGTON: I have a question for Bill. On this concern here, did they have any people that applied for this Council, do you know (ph)?

35

MR. KNAUER: Yes. Yes, there were some individuals from there that applied.

38

MR. HUNTINGTON: Yeah, I think we should send a letter, you know, stating our situation here.

41

MR. SIMON: I got a question for this gentleman (ph) here, like yesterday, I said that -- two showed up here today, we talk about some stuff like the region and Anaktuvuk and stuff like that. This letter here is telling us right now that that we're running their place (ph). And like I said, I know there's people down there so it's not advisable for us to make their laws, you know. It's more right for them to come up here

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and say something for themselves, you know, from their area. So this first time we start (ph) meeting here and they're more welcome to further (ph) (indiscernible) -- whatever, you know, we don't live around there and stuff like that. So it would be good for them to come around and go to the meeting instead of sunning somebody's village or something like that, you know; you know (indiscernible) or stuff like that.

7

8 MR. HUNTINGTON: Phil.

9

10 MR. GRAHAM: Yeah. Maybe we can, you know, encourage them to attend

12

13 MR. SIMON: Yeah.

14

15 MR. GRAHAM: until, you know, if -- until they get representative -- represented, encourage them to attend these meetings in this letter that

18

19 MR. HUNTINGTON: I have a question from George.

20

21 MR. YASKA: Yeah. I'm sort of steering away from asking questions from back here. But I would just suggest having a meeting down in Aniak or in Kalskag, your next meeting, your February meeting.

25

26 MR. HUNTINGTON: Well, that could be up for discussion where somewhere along the meeting. I think that'll come up at the end of the meeting here, we have -- we're going to determine the time and the place of our next meeting, and maybe we can consider that as one of the meeting places.

31

32 MR. SIMON: It'll be after 7:00 p.m. I say (ph).

33

34 MR. HUNTINGTON: Yeah. I think they have a legitimate concern here because they stated they have a lot of fly-in hunters and they're not being represented. I know it's out of our hands right now, but I think we can -- close to a solution trying to have as much -- have as much of the area represented as possible, within the legal bounds anyway. Yes.

40

41 MR. JAMES: I want to make sure I don't get left behind. Now, I think you withdrew that motion. I'm trying to keep track here. So there's not a motion before

44

45 MR. GRAHAM: I withdrew the motion to -- yeah.

46

47 MR. JAMES: Okay. This is not a motion. All right.

48

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1 MR. HUNTINGTON: I think a motion would be in order to
2- you know, to just writing a letter to -- giving them an
answer anyway. Introduce a motion, anyone?

4
5 MR. GRAHAM: Yeah. I thought I withdrew my first
motion and made a second one.

7
8 MR. JAMES: Maybe you did. I just

9
10 MR. GRAHAM: Yeah.

11
12 MR. JAMES: Try again.

13
14 MR. GRAHAM: I move that we draft a letter to the
Kuskokwim Native Association and all those note- -- you know,
telling them that we want to work with them, we might possibly
try to increase the number of seats. We invite them to attend
any meetings we have.

19
20 MR. COLLINS: Or direct concerns to us by letter or
something like that.

22
23 MR. GRAHAM: Right. We're

24
25 MR. HUNTINGTON: A motion made to write a letter to the
Kuskokwim Native Association stating that we'd like to work
with them and consider all our options.

28
29 MR. JAMES: I think you need a second to that.

30
31 MR. REAKOFF: Second.

32
33 MR. HUNTINGTON: It's moved and second to have a letter
drafted and, I guess, it's stating that we're willing to work
with them and do whatever we could to include them in our
discussions. And is there any questions?

37
38 MR. COLLINS: Well, Mr. Chairman, I think one thing
we'll have to look at closely, and the suggestion was made that
we meet somewhere. We have to look and see whether our agenda
will affect the people we're concerned with in choosing a
meeting place, because as was mentioned, there may not be much
land down there that is under federal jurisdiction. So even
though they have problems, we may not be addressing them,
because the -- it isn't federal land. Whereas, there may be an
issue that's related to Kanuti or something up there and we
wouldn't want to be meeting in Aniak talking about an issue
that's for an area that's directly effected by (indiscernible)

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whatever we're discussing.

1

2 So I think it's good that we get their input, but I
3 think we have to look to see how much -- what our business here
4 will really affect them down there, and it may be that it won't
5 affect them very much, because there's no federal land right
6 around close that we have any say over.

7

8 MR. HUNTINGTON: Well, it's been moved and second to
9 draft a letter, and all those in favor signify by saying aye.

10

11 BOARD MEMBERS: (In unison) Aye.

12

13 MR. HUNTINGTON: All those opposed, same sign. Well, I
14 guess we'll have Dave here draft a letter for the Kuskokwim
15 Native Association.

16

17 And I guess -- what else, is there anything else you
18 want to bring up?

19

20 MR. JAMES: Yeah, we have to talk about travel
21 vouchers, you know, stuff which doesn't have to be at a public
22 meeting. So if you want, you can recess until 1:00, and we can
23 before lunch (ph) (indiscernible) staff will be busy (ph).
24 If you want.

25

26 (Whispered side comments)

27

28 MR. HUNTINGTON: Dave here has

29

30 MR. JAMES: I forgot to mention at the beginning that
31 even if you did sign in yesterday, if you'd sign in again today
32 for this portion of the meeting, please, I'd appreciate it.

33

34 MR. HUNTINGTON: Seeing no other items for this
35 morning's session, adjournment is in order.

36

37 UNIDENTIFIED VOICE: Take a recess.

38

39 MR. HUNTINGTON: Is there a motion, a motion to
40 adjourn?

41

42 UNIDENTIFIED VOICE: Recess.

43

44 UNIDENTIFIED VOICE: Recess.

45

46 MR. HUNTINGTON: Recess, yeah, I'm sorry about that.
47 Recess for lunch.

48

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UNIDENTIFIED VOICE: Move to recess for lunch.

1
2 MR. HUNTINGTON: It's been moved to recess for lunch,
3 Is there a second?

4
5 MS. GUTLER-STRICK: Second.

6
7 MR. SIMON: I second.

8
9 MR. HUNTINGTON: Second. Moved and second
10 (Indiscernible - background noise)

11
12 (Off record)

13
14 (On record)

15
16 MR. JAMES: We're ready to start the meeting.

17
18 MR. HUNTINGTON: The meeting will now come to order at
19 1930. And the first thing we have on the agenda here is open
20 public comment period. And I guess the floor is open for
21 comments from the public.

22
23 MR. JAMES: If anyone from the audience would like to
24 provide testimony to the Council, we ask that you come forward
25 and sit here, identify yourself and affiliation and speak
26 toward the microphone so that we can get it recorded.

27
28 MR. YASKA: All right. Thank you, Mr. Chairman. My
29 name is George Yaska, I'm the Director of Wildlife & Parks for
30 the Tanana Chiefs Conference, and I just briefly wanted to ask
31 you guys, urge your consideration for a recommendation to the
32 Secretary of the Interior on federal jurisdiction, specifically
33 federal subsistence management on navigable waters.

34
35 The reasons for this are all likely known and we're
36 probably not going to get much biological testimony or
37 scientific discussion of the fact. However, some of you --
38 probably all of you know that fish is the primary component of
39 our diet and very important, in some cases, it's 80% of our
40 diet. And I just wanted to urge your consideration of that
41 fact, and that when we talk about subsistence, we have to talk
42 about all of the resources. ANILCA specifically talks about
43 fish and wildlife for subsistence management, yet it chooses
44 not to discuss fish. And I just wanted to urge your
45 consideration of some of the rest of the story, and that's
46 really that I have. I'll take any questions, if you have any.

47
48 MR. HUNTINGTON: Just -- go ahead. Just repeat on just

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state navigable -- on the state

1

2 MR. YASKA: On navigable waters.

3

4 MR. HUNTINGTON: Navigable waters.

5

6 MR. YASKA: The Yukon River, the Kuskokwim and so on,
Koyukuk River.

8

9 MR. COLLINS: George, what specifically do you think we
should do, you say we should request of the Federal Government
that we be granted jurisdiction or I mean, is there -- I don't
know the legal --

13

14 MR. YASKA: Sure.

15

16 MR. COLLINS: where it's at legally right
now (ph).

18

19 MR. YASKA: You might be aware that there are several
cases that are requesting -- or rather challenging the previous
administration's attempt to not discuss fish in federal
subsistence management, and we're saying that it should be.
We've -- we're doing this in court. There is also another
process, and that is to administratively petition directly to
the Secretary of the Interior to take over fishing -- fish
subsistence management from the State of Alaska.

27

28 And that's not necessarily going to be, I think, in its
implementation. And again, mind it's just a simple theory and
not really worth a whole lot. The -- my simple theory,
however, though, is that it be a tandem effort, a joint effort,
with the Alaska Department of Fish & Game, and probably a
fairly well coordinated effort to manage somewhat differently
than the ADF&G has been doing in the past years. I think it
would be an effective effort, but I don't think we're going to
see the Secretary of Interior, if he chooses to take over fish
management do it completely by himself; I don't think we're
going to see that at all.

39

40 MR. HUNTINGTON: So we -- you would -- we would have to
recommend it then, huh, this Board?

42

43 MR. YASKA: Yeah. In a letter directly to the
Secretary.

45

46 MR. SIMON: But as far as (indiscernible) -- pick a lot
of people in the Yukon River and all (indiscernible). The
State's (ph) talking right now would affect like next year and

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the Federal Government or State have a right to set the fish down for people for subsistence?

2

3 MR. YASKA: I suspect that we'd see results fairly see
4 if the Federal Government would take that over. I think one of
5 the elements in the Department of Fish & Game's plan to monitor
6 our -- well, not our fish but the public's resource, the fish
7 would be under immediate review. Many of the projects that are
8 considered

9

10 MR. DEMENTOFF: Excuse me, sir, I'm just a country boy.
11 When you guys make mistakes on fish eggs

12

13 MR. YASKA: Point of order.

14

15 MR. DEMENTOFF: We're stopped (ph) fishing, we've got
16 eat. We've got to something more than fish. Hell, you got
17 the game warden (ph) too.

18

19 MR. YASKA: Many of the projects under consideration by
20 the Commissioner of Fish & Game and then their actual
21 implementation aren't subject to public review. We asked,
22 several years ago, for a genetic stock identification and
23 tagging study of Western Alaska salmon; chum salmon, king; and
24 that also run through the Alaska Peninsula fishing districts.
25 We asked for an independent review of this study. They have
26 since agreed to do the study, but we don't if they're doing it
27 any different than they have in the past. And well, we don't
28 know what they're doing. They say they're doing something but
29 we don't know if they're going to do actually a better job than
30 they've done in the past, there's just no way of knowing that.

31

32 And I think under a federal subsistence management
33 program for fisheries on navigable waters, we'd have probably a
34 review panel, at least, by the Federal Government to try to
35 figure out what are they doing; are they doing it correctly.
36 As many of you know, the primary burden of conservation for
37 chum stocks in Western Alaska is only in Western Alaska; it's
38 not shared throughout the rest of the migratory path of the
39 salmon. And I think that's just wholly improper, I don't think
40 that's correct at all. Everyone who uses that resource and who
41 catch those salmon should have to share in that burden. In a
42 different system of management, I think we'd see that, but
43 we're probably, definitely not going to see it in the
44 politically motivated system that's in the State right now.

45

46 Any more questions?

47

48 MR. HUNTINGTON: I have a (indiscernible -

49

50

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interrupted)

1

2 MR. SMITH: Yeah. I'd like to make a comment, George.
3 I think those points are well taken, however you have two
4 problems; you have a river here that's self-contained within
5 the State, and you have a river, the Yukon, that goes clear
6 into Canada. And those fish that the commercial fisherman,
7 both on this river and the lower river, are getting, you're
8 going to have a very substantial amount of conflict with the
9 commercial fisheries that already exist.

10

11 And another thing is that, if I am not mistaken, I
12 think the Statehood Act, on most of the navigable streams, are
13 being titled to the State; and that goes clear back to the
14 Statehood Act. I just don't know where you're going to get
15 with that sort of a recommendation at this point in time, but
16 certainly is a point well taken to protect the subsistence
17 activity. But since it's navigable, most of these streams, I
18 am not sure that you're going to get very far with it.

19

20 MR. YASKA: Any more questions? Otherwise, that'd be
21 the extent of my testimony. Thank you, Mr. Chairman.

22

23 MR. HUNTINGTON: It's just been brought to my attention
24 here, if you have some comments to make, would you please come
25 to the microphone so we can have it on record. Sometimes,
26 the mike don't carry that far back. Thank you. Is there any
27 other -- more comments, public comments, concerns?

28

29 MR. SEAVOY: I've got a question before I present any
30 public comments. I think that

31

32 COURT REPORTER: And state your name, please.

33

34 MR. SEAVOY: My name is Roger Seavoy and I'm from the
35 Alaska Department of Fish & Game. I made some statements last
36 night, and the two Board Members who weren't here probably
37 haven't heard them. But basically, I want to make sure that
38 the things that I stated last night are part of the permanent
39 record. So I guess I'm going to go through a number of the
40 same things, and I'll probably condense it somewhat, but it'll
41 be familiar to the people who were here already.

42

43 And I'll start out then with as the agency having the
44 primary responsibility for managing fish and wildlife resources
45 in Alaska, the Department of Fish & Game is concerned about the
46 following. We have basic in subsistence management which are
47 to protect the productivity, abundance and sustained yields of
48 fish and wildlife populations upon which subsistence depends;

49

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provide fair allocation for fish and wildlife resources to subsistence users as well as to other users.

2

3 We have additional concerns about the problems of dual
 4 management. One being the potential impacts of fish and
 5 wildlife populations from improper harvests. Two, concern for
 6 equitable access to fish and wildlife resources by all classes
 7 of users, subsistence, sports, non-consumptive and commercial.
 8 Three, in absence of federal customary and traditional
 9 determinations and lack of a federal process for making them.
 10 And four, discordant state and federal regulations, public
 11 confusion -- which would result in public confusion over property
 12 boundaries, season dates, permit validity and law enforcement.

13

14 I will be around, I could discuss them while we're at
 15 the table here if individuals choose. I will be around for
 16 other discussions with individuals later on. I'm stationed in
 17 McGrath, so I'll be here for as -- and available as long as
 18 you'll be here.

19

20 This is the basic statement that I would like to have
 21 on the record, but if anybody has any other comments, please
 22 feel free to ask. Okay. If nothing else, I'm done.

23

24 MR. HUNTINGTON: Thank you, Roger.

25

26 MR. SEAVOY: You're welcome.

27

28 MR. HUNTINGTON: Phil.

29

30 MR. GRAHAM: I just -- you know, Mr. Seavoy,

31

32 MR. SEAVOY: Sure.

33

34 MR. GRAHAM: so what you're saying is the -- are
 35 you saying the Department of Fish & Game can handle it fine?
 36 Are you saying that the federal subsistence thing -- what are
 37 put it in words that I can understand. Are you
 38 (Indiscernible)

39

40 MR. SEAVOY: It's basically

41

42 MR. GRAHAM: are right to exist?

43

44 MR. SEAVOY: I should probably come up to the front
 45 again.

46

47 MR. SEAVOY: Basically, the State does have concerns
 48 about federal and state management and having two sets of rules

49

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for the resource. As I said last night, and I know you weren't here, that's where, at least the biologists and I know that's where I feel is the concern, a concern for the resource; the amount of animals out there and the amount of animals available for harvest.

5

6 There are certain legal considerations that are beyond my expertise, and I don't feel comfortable commenting on issues such as navigability, because I don't know personally; I know that there is a definite concern there. There's a definite concern about the property boundaries and who has which jurisdiction over which lands. I know that there is a huge discrepancy between the definition of subsistence users between the state and the federal government, and that's the whole reason for having the federal take over fish and game management on federal lands in the first place.

16

17 The legal ramifications are things that I am not an expert in. Biologically, I do have concerns, including concerns about say small sizes of, you know, game populations or excuse me, game populations that don't stay on the small size of some federal landholdings. Game populations that cross over both, and issues of other users where -- besides subsistence users in places where game populations are not -- are not so small that you have to limit the number of users. The Mulchatna caribou herd comes to mind, it's over 120,000 animals. It seems like there are enough animals for subsistence users to be satisfied and still support some sport hunting. Those are the kind of concerns that the State has.

29

30 MR. SIMON: Yeah. I sort of have a question for you here.

32

33 MR. SEAVOY: Okay. I'll do my best.

34

35 MR. SIMON: Yeah. You said borderlines for fish and game a couple -- you're out of -- here for like a particular subsistence management regulation game book, are you guys in control of that, borderline of Unit 24 or 21?

39

40 MR. SEAVOY: The water line?

41

42 MR. SIMON: (Indiscernible)

43

44 MR. SEAVOY: Is that what you're saying, the high water mark?

46

47 MR. SIMON: Yeah. No, just the borderline of that, what I said yesterday.

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1 MR. SEAVOY: The border between

2
3 MR. SIMON: 21 and 24 or 29

4
5 MR. SEAVOY: 21 and 24.

6
7 MR. SIMON: and 30, you know.

8
9 MR. SEAVOY: We could probably put up a sign. I don't
work in Unit 24, Tim Osborne does. And I think if you
requested a sign in a certain location, he'd probably be able
to put one up.

13
14 MR. SIMON: Yeah, on stuff like (ph)

15
16 MR. SEAVOY: You know, I know that there have been
cases where I -- when I was working in the Fairbanks office, I
ordered signs and put them up. So it doesn't seem like that
should be that much of a problem.

20
21 MR. SIMON: Yeah.

22
23 MR. SEAVOY: If he has a request for a sign at a
certain location, yeah.

25
26 MR. SIMON: Well, that's what I'm asking right now.
Lots of people (ph) in somebody's yard or something, you
indiscernible - interrupted)

29
30 MR. SEAVOY: Yeah. I think it would

31
32 MR. SIMON: you guys (ph) live in the city or
something like that, you got a yard there, and you don't want
nobody to come into

35
36 MR. SEAVOY: I think borders between game management
units can be marked fairly easily, at least at points of, say,
confluence of rivers. Trying to mark all of the borders
between land ownership would be next to impossible. You know,
suppose they could do it outside where they've got boundary
and range, and if you fly over it, it looks like a
checkerboard. But -- and you know, of trying to put a sign on
every one of these lines on this map up here, that's not
possible. But some of those other ones, like the ones that I
think you're asking for, I think it could be done, and I think
Tim Osborne in the Galena office would be the person to
approach for that.

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MR. SIMON: I think like that, you know, you can fly over it and take a bunch of picture from satellite or something like that. You know, there's people down there that's got responsibility for -- I live here all my life, for near 60 years now, and I have a right to say something about the land and stuff like that.

6

MR. SEAVOY: Um-hum.

8

MR. SIMON: Some guys come around and try to make a borderline out of your (indiscernible) into your house or your yard out there, you can't say you can't come in here because I don't know you or something like that.

13

MR. SEAVOY: Um-hum. Yeah.

15

MR. SIMON: The same thing (ph) (indiscernible - interrupted)

18

MR. SEAVOY: I can't help but agree with you.

20

MR. SIMON: program (ph) that you have the right to your land, you know, for subsistence, you know.

23

MR. SEAVOY: Um-hum. I can't help but agree with you.

25

MR. SIMON: Right. So you probably got a law someplace that can tell (ph) you do this and do that.

28

MR. SEAVOY: No, that's why I have this and that's why I read it this way (ph).

31

MR. SIMON: You walk right here -- if you walk on that land right now, you know, it'll be a lot different than flying over it, you know, different

35

MR. SEAVOY: Um-hum. Yeah, I'm sure.

37

MR. REAKOFF: Mr. Chairman.

39

MR. HUNTINGTON: Jack.

41

MR. REAKOFF: The State of Alaska's sent Roger here to tell us that they are worried about the subsistence resources and stuff. But it's my personal experience where I live that the State of Alaska has had a poor subsistence record for excluding subsistence users from resources and making availability of those resources to non-resident sport hunters. The State of Alaska's new subsistence law, which is a non-

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subsidence law making large, non-subsistence areas, excludes non-residents of Alaska, subsid- -- borough subsistence users and residents of Alaska from large tracts of land for non-resident entrance to compete on an equal footing with the subsistence users and the residents of Alaska.

5

6 And the State's statement that they're worried about the subsistence users is so -- is 180 degrees opposite of what their actions show. The State's subsistence -- non-subsistence or anti-subsistence law is what it is is a detriment to all residents of Alaska, and especially to rural residents. I hear about large non-subsistence areas down in the Kulitna (ph) River area, the Tanana Flats, all over the place where this excludes any kind of priority for residents of Alaska and allows entrance of non-resident sport hunters. So the State's statement that there worried about subsistence is not true.

16

17 MR. SEAVOY: I guess the only area that you mentioned that is within the region that we're talking about is the area that you mentioned, Units 19C and 19B have -- there is a proposal, and it's probably worth lots of people looking at, to create non-subsistence areas out of Units B and -- 19B and 19C. Some of the ammunition that is going to be used by people who wish to create that area is going to be harvest figures. And there is very little record of -- from harvest tickets of residents of Unit 19 and Unit 18 using that area. Whether that's reflective of what's really going on or not is the same problem that came up time and time again last time, was the lack of reporting.

29

30 I am not going to get into a discussion of trying to defend non-subsistence areas. I -- first of all, I'm not an expert in it, and I guess, for some personal reasons, I'd prefer to stay away from that. But -- and I guess the biggest reason for not doing it is I don't know enough about it. But I think your statement puts it on the record that you're not happy with it, and I'm -- I guess, the State's -- my response as the State person is just going to be no comment.

38

39 MR. REAKOFF: Well, you came and put your statement on record, and I felt that I --

41

42 MR. SEAVOY: Sure. I

43

44 MR. REAKOFF: it's my position from -- the State's actions are worth more than words. The State's --

47

48 MR. SEAVOY: Yeah, you and I talked about that

49

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yesterday, and I know what you mean.

1
2 MR. REAKOFF: the State's words say one thing,
3 their actions reflect a different -- 180 degree opposite. Non-
4 subsistence areas are totally unconstitutional state-wise, and
5 according to the 1981 vote (ph) which prioritized consumptive
6 use for subsistence preference, there's no bearing for any
7 lands in Alaska to be considered for non-subsistence areas.

8
9 MR. SEAVOY: Um-hum. Does somebody want -- anybody
10 use want to have at me?

11
12 MR. SIMON: Yeah, since you mentioned that.

13
14 MR. SEAVOY: That was supposed to be a good way out of
15 this.

16
17 MR. SIMON: I'm sure that the harvest ticket
18 read (ph)

19
20 MR. SEAVOY: Pardon me?

21
22 MR. SIMON: About the harvest tickets and stuff.

23
24 MR. SEAVOY: Uh-huh.

25
26 MR. SIMON: You're from Fish & Game so I take it
27 there's another way to go at this. It depends on who is --
28 like in the Village of (indiscernible), big fish (ph), you
29 know, and send in their license and stuff, giving out these
30 tickets and stuff, you know.

31
32 MR. SEAVOY: I may have a suggestion.

33
34 MR. SIMON: Just -- I'll just get through with
35 (indiscernible).

36
37 MR. SEAVOY: Okay.

38
39 MR. SIMON: In my opinion, I don't think -- from my
40 opinion, from me, I don't think -- I wouldn't go over there
41 (indiscernible) and the competition and stuff like that, you
42 know. It's stuff that you're talking about and you brag it
43 about it and how good you are and stuff like that. But you
44 know, somebody else can get it in a different place, you know,
45 catch your fish (ph).

46
47 MR. SEAVOY: With the harvest tickets, now one thing
48 about going to get it, realize that Fish & Game is not

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basically a law enforcement agency. There are individuals in Fish & Game who have been deputized, but the responsibility for law enforcement lies with the Division of Public Safety -- let's see, Department of Public Safety, Division of Wildlife Protection. And everybody who is out there gets called Fish & Game, those guys are not Fish & Game, they're State Troopers, and they're State Troopers first. They are not biologists, but they do know some stuff about biology.

8

9 I am a -- I'm a biologist first, I get put in a position where I have to do some law enforcement but, you know, I spent one week in law enforcement training and about eight years to become a biologist; I prefer to be called a biologist. And I think it's proper for people to think of Fish & Game as a biology based organization rather than a law enforcement or even allocation kind of an agency. That's one thing.

16

17 The second -- and that was just a comment that I wanted to make. A second thing is that I agree with you, there are probably other ways to handle harvest reporting. I think, Phil, you were involved in something like that in Lime Village, to help with something with Jack.

22

23 MR. GRAHAM: Yeah.

24

25 MR. SEAVOY: And I think

26

27 MR. GRAHAM: In fact, we're doing it again; we're keeping a community calendar of moose and caribou taken, when they're taken, the sex, the location in relation -- and -- but there's no names on it.

31

32 MR. SEAVOY: Yeah. And I think something like that can work out, and it may work in other villages. The individual who shoots the animal doesn't have to be the same person to fill out that card and send it in. If there is an individual or a community who can perform that function, I think that would be at least a step in the right direction. It would give us better harvest figures, but I think there's room for creativity there, too.

40

41 MR. SIMON: And it never works out (ph). If you could harvest -- like I don't know you, so I come up here and I say I shot a moose and I get a harvest ticket, well who's who? You're working for somebody and the other guy is working for some different program. That, you know, if I come up to you and I say I shot a moose here and I got a right to turn a harvest ticket in. But a lot of guys got a different opinion, you know, and their lifestyle and everything. And things like

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that, you guys should -- if you guys want to do your job, you know, we're a taxpayer, if you can reverse your law, you can do it, you know. You can come in the village and say you got to have -- buy (indiscernible) and licenses, it's 45 to 50 bucks for a license for me just to hunt, you know. We're paying those taxes. You guys are getting the money, and you're short of money, so you just fly (ph) around and cut somebody else; you know, you automatically cut somebody now and then, you know. It's the federal government, these are federal -- you know, they got money. You can enforce your law and to force those people to feel free to pull out their harvest ticket and stuff like that. You are free to come and ask me any time you want to, you know, the same thing.

13

14 MR. SEAVOY: Yeah. I don't have a comment. I can't.

15

16 MR. HUNTINGTON: Okay. Thank you, Roger.

17

18 MR. SEAVOY: Okay. Thank you.

19

20 MR. HUNTINGTON: One more time (ph). Okay. The floor
21 is now open for some more comments.

22

23 MR. YASKA: Tom keeps (ph) jumping up here. I just
24 wanted to leave you a copy. Mr. Chairman, again this is George
25 Yaska, I wanted to leave you a copy of this document that we
26 have. Would you hand that to the Chairman. It's our
27 administrative petition to the Secretary of the Interior with a
28 handy address and all that. Thank you.

29

30 MR. GRAHAM: Could I just -- so are you -- do you think
31 that the -- excuse me. What you're saying is you think that
32 the federal system would be more sympathetic or they'd help you
33 more than the state system of

34

35 MR. YASKA: Well, I don't know that they'd be more
36 sympathetic to our concerns but they do have a definite
37 subsistence priority law in force. And I think we definitely
38 see sensible management rather than a political system of
39 management. In a political system, the State -- we can't win,
40 the subsistence users cannot possibly win, we don't have
41 political leverage. If we had political leverage, we'd be
42 doing okay, but otherwise, we don't have that. And that's not
43 really much of a worry in the federal system.

44

45 And in my eyes, I've seen federal management done in a
46 sensible fashion. And I think that could be applied to --
47 perhaps, not easily, but you have (ph) to be applied in the
48 federal system.

49

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1 MR. GRAHAM: Well, and what you're asking is that we
2 take over navigable waters?

3

4 MR. YASKA: Yeah, the federal subsistence management
5 program would be taking over jurisdiction -- would enforce
6 jurisdiction on navigable waters and would be managing --
7 probably co-managing salmon fisheries and others along with the
8 Alaska Department of Fish & Game. I think we'd see a much more
9 responsible system. I think we'd see fish back in the river.

10

11 MR. SIMON: Excuse me. In other words, federal's got
12 more to say about this or the State, who's got more to say
13 about this that you're talking about right now, like the
14 federal or State?

15

16 MR. YASKA: Yeah. The Federal Government hasn't said
17 anything yet about whether it's going to take over jurisdiction
18 on navigable waters. The Secretary hasn't said that he's going
19 to take over jurisdiction over salmon management. And we
20 haven't see the State make any commitments to true subsistence
21 management for fish. We've asked them time and time again. As
22 an example, we've asked the Governor to declare a disaster on
23 the Yukon River, and we've asked him twice; it's been two and a
24 half months now with no response, no phone call, no reference
25 at all. He has made no commitment whatsoever to research in
26 any better fashion than he has in the past salmon on the Yukon
27 River. We have no information on run timing and abundance,
28 very little genetic stock identification, very few tower
29 counters, very few sonars.

30

31 It's been a very poor effort by the State. And so
32 we've asked them, time and time again, and just lately at the
33 meeting in Tanana, we've asked them well, what can you do
34 better now, and they made absolutely no commitments, refused to
35 make any commitments. And it's been several weeks and we still
36 haven't heard anything.

37

38 MR. SIMON: And you could never just wait (ph) until
39 freeze up -- count fish anyway so

40

41 MR. YASKA: Probably, I don't know.

42

43 MR. SIMON: (Indiscernible) next meeting, though, it
44 should be brought up. Somebody will bring it up, fishing and
45 stuff (ph).

46

47 MR. HUNTINGTON: So this letter is actually -- it's
48 enforcing our stand to take over jurisdiction on navigable

49

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waters?

1

2 MR. YASKA: Yeah. To reinforce the position of the
Alaska Native community. And again, every regional non-profit
and profit corporation in Alaska for Native people and the
Alaska Federation of Natives have submitted this administrative
petition.

7

8 MR. HUNTINGTON: So what, you recommend we submit this
letter?

10

11 MR. YASKA: Well, a letter.

12

13 MR. HUNTINGTON: A letter.

14

15 MR. YASKA: From this Western Regional Council. And
actually, just a very simple, direct letter, that's the logical
response, I think.

18

19 MR. HUNTINGTON: Um-hum.

20

21 MR. YASKA: It's definitely within the powers of this
Council to do something like that, and you do have that direct
link.

24

25 MR. HUNTINGTON: Phil.

26

27 MR. GRAHAM: I'm just wondering, I don't know who can
answer this, but what is the legal basis that puts navigable
waters in state jurisdiction rather than federal; what -- where
does that get divided, is that

31

32 MR. HUNTINGTON: The gentleman back there has a answer.

33

34 COURT REPORTER: Can you go to the mike?

35

36 MR. KURTH: This is a very complex issue, obviously,
and it's one that is in litigation, as George very properly
pointed out. The lands that fall under the jurisdiction of the
Alaska National Interest Lands Conservation Act and Subsistence
titles are the federal public lands in Alaska. The definition
of what are those lands, in the law, are the lands, waters and
interest therein, title to which is in the United States' name;
except for lands validly selected by Native corporations or by
the State of Alaska.

45

46 What has happened is that in trying to determine just
what that is, when a state is admitted into the Union, at the
time it's admitted to the Union, all of the land underlying the

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navigable waters in this State, the title to those submerged lands, passes to the State of Alaska or whatever state it might be; except those that had been previously withdrawn from the Federal -- from public domain for a specific federal purpose. That's the case with, I think, Glacier Bay Park, Kenai Refuge were withdrawn and set aside for specific purposes prior to Statehood.

7

8 When we initiated the federal subsistence program, a legal interpretation and a policy decision was made that because the title to the lands under navigable waters belonged with the State of Alaska, that jurisdiction for the management of those waters lied with the State of Alaska. The State believes that all waters should be under their jurisdiction, and many others have argued that that is a very narrow construction of the definition of federal lands.

16

17 And what George again has very accurately portrayed is that the Native communities in this petition that -- the name of it is under the Native American Rights Fund but it's supported by a wide variety of Native interests has done is pointed out and crafted for the Secretary's consideration a very detailed legal analysis that says Mr. Secretary that policy and legal interpretation was in error. It was very narrow, that the United States does have valid interests in those waters, and therefore, they should be included within the definition of the federal public lands for the purposes of providing for a subsistence priority.

28

29 George obviously pointed out the obvious, that fish are extremely important to the subsistence way of life. The format that this was put to the Secretary in -- again, it is before the court, in U.S. District Court in Anchorage. But it's been put before the Secretary in an administrative format, which basically gives him the opportunity, should he be persuaded by the legal argument that was made in this petition, to say wait a minute, I agree with the petitioners that this was a narrow construction of the definition of public lands. And in fact, I agree with your interpretation that the navigable waters of this state, for the purposes of the subsistence title and ANILCA, should be considered public land. If he would make that decision, then navigable waters would be afforded the same priority for rural Alaskans under federal law as are wildlife species on the federal public lands.

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45 The matter is before the Secretary. He has not made his decision. I have absolutely no idea what decision he may make. That's the point where he -- you know, his lawyers and his staff are analyzing that petition that, you know, portrays

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a very articulate train of thought. I'm not a lawyer, I don't know, but it is a legal and policy issue. I think what George is asking, and I don't mean to speak for him, is that he's asking you to consider supporting that legal analysis that would ask the Secretary to consider a less narrow construction of what public -- federal lands are so that the ANILCA subsistence priority rather than the State subsistence law would apply to navigable waters.

8

9 It is a very complex and very critical issue. You can just imagine for a moment the increasing complexities of your decision making that you would be recommending should you be involved in the management of navigable waters in your region. I'm not here to tell you what, you know, you should do or shouldn't do. But it is a very complex -- a key issue, it's getting consideration at the very highest levels in the Department now.

17

18 And the Secretary, in some public remarks, indicated that he would be making a decision in a rather timely fashion. I don't have a date, but I would expect that, you know, he knows the importance of the issue and the importance of making a timely decision.

23

24 MR. HUNTINGTON: I guess that clears up (ph)

25

26 MR. GRAHAM: Yeah. Yeah.

27

28 MR. SIMON: I have one question here. You said U.S., okay (ph), does that include the states down in the 48 or -- lower 48 or just here in Alaska?

31

32 MR. KURTH: This decision just would apply to management of the fisheries in Alaska.

34

35 MR. SIMON: Okay. Well, you said U.S., so I figure down in the States. We got nothing to do with down in the States as far as

38

39 MR. KURTH: No. I'm sorry, the law just applies to federal and public lands in Alaska.

41

42 MR. HUNTINGTON: Any more questions for George?

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44 MR. YASKA: Thank you, Mr. Chairman.

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46 MR. HUNTINGTON: The floor is now open for some more comments. Tom Sheets.

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MR. SHEETS: Yeah. My name is Tom Sheets, retired science teacher and proprietor of Tukusko Hall (ph). I have lived about 25 years mostly -- well, all but two in rural Alaska, lived all over the State. I was president of the Alaska Science Teacher's Association. And I've been concerned with what's happening with Fish & Game and subsistence throughout the time I've been here. And I was going to talk about -- well, I've got two things I'd like to talk about.

8

9 The first is what George Yaska brought up, only it's a little different outlook, and I'd like to bring that to you because it was a big concern of mine. I had an interest as a lodge owner to get Native people guiding fisher people to their traditional fishing places, and tried to find out what the legal ramifications were for Native people to do this, and found out that if they were to do this without a six pack license from the U.S. Coast Guard, they would be in -- they would be thrown in jail. They would be doing things outside of the law. But it would be okay if a person from Miami with a six pack license came up and did it.

20

21 And this really concerned me, so I called the Governor's Office, called the U.S. Coast Guard in Anchorage and the U.S. Coast Guard in Juneau, and called Don Young and Senator Stevens. I called the President's Office. I called everyone because there was something rotten in the State of Alaska going on here, by my estimation. Because there are a lot of Native people -- older Native people who can't read or write or pass very difficult Coast Guard tests. As a matter of fact, our former superintendent of schools took the test and failed it the first time. What do you think of that?

31

32 Now, what I am saying, though, is that we have a subsistence kind of issue here. It's a natural resource that belongs really to the people of Alaska, but they can't utilize this resource because they can't meet some federal law that says that they have to jump through these hoops to be able to do this kind of thing.

38

39 As a lodge owner, I did not want to hire a person from New Jersey to be a fishing guide in the Bush of Alaska and go from Tukusko Hall to somewhere. He -- first of all, they'd perish. The only good pilots on the river are the people that live here and know how to manipulate on these rivers and how -- what to do with the people after they get them there and camping techniques and all this. And it's the Native people that own the land that these people would be camping on and things like that.

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And it is my concern, and I don't know if you have any jurisdiction or you have any capacity to look and see a natural resource that belongs to the people here that can't be utilized by the people; and that natural resource is tourism, it's actually eating the fish, it's whatever. But this is kind of a side issue, and I think it's a real important one. I was very, very frustrated with my efforts to find out what I could from all of the different people that I called. And I said there's something really wrong here, the Native people cannot be involved in the process of being fishing guides on navigable waters.

11

12 By the way, the waters are navigable, I found out recently from the U.S. Coast Guard, up to McGrath. From McGrath all the way up to Nikolai and all the other river system above McGrath, including the Tokotna River and Big River and all those river systems, are not navigable as far as Coast Guard jurisdiction is concerned. Had I known this, I would have hired Nick Dennis or one of the Nikolai people to be a guide and I would have just taken off. But I was told by the State Fish & Wildlife protection officer here that if I did, they would take my boat, and they'd do all these things, you know; I'd be in big trouble. Now, I know more.

23

24 But I think -- you know, I think there's something that needs to be looked at with use -- concerned with use of the resource and the people that are the real owners of the resource. And that's really -- it's really bothered me that we haven't been able to get this kind of thing, you know, going. I open this to question or comment on this particular issue. I have one other thing I'd like to talk about.

31

32 MR. SIMON: For one thing, you're right about these people that don't know how to read and write. We live around here all our lives and, you know, a lot of guys -- there's a lot of old peoples, you know.

36

37 MR. SHEETS: That's what I mean.

38

39 MR. SIMON: Yeah.

40

41 MR. SHEETS: The older people that I was

42

43 MR. SIMON: We come from here and the people that -- before our grandfathers and people that have been here all their life. And that's -- as far as (ph) the Coast Guard is concerned, they have no right to come around and tell us what to do because we don't know what the Coast Guard is. We don't live on the ocean or

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1 MR. SHEETS: Exactly.

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3 MR. SIMON: New York or someplace, you know. So
 4 you're right -- you are right -- for me, you're right, you
 5 know.

6

7 MR. SHEETS: I'm not sure what we can do about it.
 8 They recently -- they have a new permit that is good for three
 9 years, this being the first. And even the permit is difficult
 10 to get. And after that time, they are going to be -- this is
 11 from the Coast Guard that I'm telling you; I just got this
 12 information recently. After the three year grace period where
 13 they'll allow a permit, they are going to -- the Coast Guard is
 14 going to come up to McGrath and they're really going to start
 15 enforcing the laws that are on the books. So it's going to be
 16 more difficult for the older Native people that don't read or
 17 write to, you know, make use of this resource and this earning
 18 potential. I'm concerned about it.

19

20 MR. SIMON: In other words, the Coast Guard
 21 (indiscernible). And these waters (ph) come from Nenana and
 22 they haul fuel up there, I've been working for 26 years for
 23 Alaska Village (indiscernible). You can't spill a cup of oil,
 24 you got to report it. The Coast Guard will turn -- take over,
 25 you know. And we're going to have to -- we're not on the coast
 26 of something, you know, but we're interior. And they want to
 27 shut our plant down and stuff like that just for spilling a cup
 28 of oil or something. I take objection (ph). As far as
 29 speaking of Coast Guard, you know, they had no business up
 30 here.

31

32 MR. SHEETS: I know, but I'm sure the people here don't
 33 want to have Fish & Game or Wildlife Protection people or Coast
 34 Guard confiscate their equipment if they're doing something
 35 that doesn't meet with some law that was made in Washington,
 36 D.C. that really doesn't have anything to do with the reality
 37 of what's going on here. And so it's the federal -- it's
 38 another federal agency but it's connected with this one, I
 39 think. And it would be nice if something could be written to
 40 the Coast Guard stating the concern, and maybe somebody like
 41 this group could get more of a response than I did. I was
 42 really frustrated. I spent an awful lot of time and money
 43 dealing with this, and it really didn't get me anywhere. So --
 44 but they sure heard me.

45

46 (Pause - whispered comments)

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48 MR. SHEETS: So we'll have outside people from outside

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of the State of Alaska, and we'll have White people come in that have no -- they have the license and they come in and they'll do it.

3

4 MR. SIMON: We'll buy you stamps, and they're traveling on our (ph) money, so we'll buy you stamps from (ph) Washington, D.C., the postal stamps, all that stuff is taxed. They're traveling and telling us what to do, what is not right for us (ph). If they'd buy our stamps, it might be different; we have no (ph) stamps.

10

11 MR. SHEETS: Well, that was one concern, and the other, 12 just thought I'd make a comment. It's like subsistence use versus -- or the -- let me start this. It's like the plastic wrap society versus subsistence use, and over a period of years, I've kind of looked at this circumstance; the conservationists, people like you people here, and the people that would misuse the game on this end, and the people that would like to preserve on this end. The preservationists, a lot of the preservationists are people that I call -- that are part of the plastic wrap society that buy all of their food in plastic wrap in some supermarket somewhere in the USA. And these people, many of them are persuaded by real large groups of people that have questionable -- I think they have a lot of personal gain involved here in the administrative aspect of some of these large organizations that have to do with preservation.

27

28 And what's happened is the plastic wrap society, if you will, have come against those of us in Alaska that live out here and have made efforts at managing our resource; by that, discontinuing wolf hunting and things of this nature. Which there is a competition for the natural resource here, the moose and that kind of animal, that the people must use here. This is a competition that I think will become quite readily -- more readily evident by -- in the future as the wolf population builds up. But they would have us buy all of our food in a plastic wrap, they don't want us killing animals in the woods. They'd like to make it something we don't even walk on the land, let alone use it, and use the resources that are there, in a conservation oriented way to maintain populations.

41

42 They would rather raise their animals. And here's the side of it that most of you might not be aware of. But I made a trip from Idaho to California a few years back, and I saw and that had been beautiful forest turned into pasture land, and the way up into the mountains where the natural habitat used to be. And all I could see was a big yellow McDonald's arch over that pasture land, and all I could see was a big

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supermarket wrapped hamburger. And that is preferable to the plastic wrap society to utilize -- very carefully utilizing the land in such a way that we maintain a population. We use it and we don't abuse it, but we keep track of the populations. The biologist here is watching to make sure that the populations remain healthy, but the plastic wrap society is out there trying to stop us from doing this.

And how they're trying to stop us from doing this is coming up with their emotional outlook on how to manage the land. Discontinue shooting of wolves, discontinue many things that are counterproductive to the utilization of the animal in its natural habitat without destroying the habitat, maintaining the habitat. They would prefer to turn, which from what I could see, most of the productive part of the United States into a big pasture land.

It's a different way of looking at this thing. And it's something that I came across, and I really am quite adamant in my -- and strong in my belief about this. The biologist that came -- that was here back in the '70s went out and saw in some years it's worse than others, but many -- all of us know this happens, where the wolves will come in and cut down a whole population of moose in a certain area; just cut them all down during -- in the springtime when they can run across the ice, the crust on the snow, and the moose are just cut down.

And so, I'm concerned about some of the new political pressures on this -- on the federal organization and the state organization as well to eliminate wolf hunting. And I hope that you will give that some consideration, because the plastic wrap society is knocking on your door. And if they win, then I think if you can -- it'll happen here in Alaska just like it happened outside. There won't be much habitat that the animal can use any more, the wild animal, and it'll just be a plastic wrap society. Any questions or comments?

MR. HUNTINGTON: Hearing no questions.

MR. SHEETS: Okay. Thank you.

MR. HUNTINGTON: Thank you, Tom.

MR. SHEETS: Yeah.

MR. HUNTINGTON: Well, the floor's open again for more comments. Winchell.

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MR. TILKNUR: Good afternoon, my name is Winchell Tilknur, I work for Tanana Chiefs. I'd just like to start off by saying that I have traveled to quite a few places since I've been working with Tanana Chiefs. A lot of the times, I sit down and listen to some of our Elders, and they keep harping I don't want to draw food stamps, I don't want to draw welfare; I want to hunt but regulations have permitted me not to do this, and that's why I'm drawing food stamps. And I would like to say to this Board to be careful about too many regulations so that we can -- so the elder -- older people can help themselves to do what they used to do before.

11

12 And the other thing I'd like to say is the regulations and the federal regulations have not really explicitly told us what lands to hunt and not to hunt. I just found out recently that people can hunt till the end of September on their Native allotment if they weren't conveyed over. So in this area, it was very explicit, and I think this needed to be conveyed to the people so that they would understand where they can hunt and not to hunt.

20

21 And also, I would like to see this Board work closely with the State of Alaska to make the regulations all the same so it wouldn't be from 1 to 25 or 1 to 30, you know, so people can understand; make it simpler. And the State regulations in Unit 19, they have about three or four interpretations that we have to read, and people are not very understanding of this. So this is what I'd like to say.

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29 MR. HUNTINGTON: I have a question on you say that the season is open till the end of this month on unconveyed land to the Native owners?

32

33 MR. TILKNUR: The federal regulations, you can do that, I found out recently under the federal regs. If you had a Native allotment, if it's not conveyed, you can hunt there until the end of September on federal lands under federal policy.

38

39 MR. HUNTINGTON: So you can hunt on your Native allotment?

41

42 MR. TILKNUR: If it's not conveyed, that was my understanding, yeah.

44

45 MR. HUNTINGTON: I didn't know that myself (ph), that would be (ph)

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48 MR. SIMON: I didn't hear about Native (ph)

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particularly (ph) for being Native when you got your own (ph) allotment and you talk like that. That's, you know, and you have had that (ph) or something like that you cannot eat any more (ph).

4

5 COURT REPORTER: Where's his microphone.

6

7 MR. SIMON: They could all figure it out (ph), if you can get a moose or had that (ph) or something like that. So only, you know

10

11 COURT REPORTER: It fell off.

12

13 MR. SIMON: for Native (indiscernible - microphone interference) -- I think it's under that

15

16 COURT REPORTER: Excuse me, I'm sorry.

17

18 MR. SIMON: Native allotment.

19

20 MR. HUNTINGTON: Thank you, Winchell. The floor is open again for some more public comment.

22

23 (Pause)

24

25 MR. HUNTINGTON: Well, I guess that's about it on the public comment for now. Moving along, the next item on the agenda would be Identification of Regional Issues. Maybe Dave, have you got something on that?

29

30 MR. JAMES: Well, since we haven't had time to, you know, consolidate all of these issues that were talked about here yesterday, I think the things that we talked about yesterday afternoon would, you know, logically fit under that topic. I just would call that to your attention. And of course, Angela and Phil weren't here, but the others, especially, thinking back to those issues that were raised yesterday, that might provide you some ideas on subjects you want to pursue right now. Now, you may not want to. But I know that one of them that just pops to mind was Jack was talking a lot about C&T determinations for that corridor up there as an example of the kind of thing that the Council here may want to discuss further, it may want to develop a commendation or a resolution or a request, you know, or whatever seems appropriate.

45

46 As a suggestion, you might -- when it comes recess time and you want to take a break, it might be an opportunity, you know, to circulate along the wall here and refresh your memory,

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and maybe then you'd want to come back to the table and deal with some of those right now, maybe you wouldn't.

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3 MR. HUNTINGTON: Ray.

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5 MR. COLLINS: Mr. Chairman, I can think of one issue that's come up that I'm not sure how we go about solving it, but there seems to be a lot of confusion, as Winchell just indicated, on the part of the hunters as to what lands is open and what isn't open, even though we've got a season and bag limit here. That I would hope that before the next hunting season we could identify within our region the areas of land that are and are not open, at least, some kind of a description of one place people could go to find out.

14

15 Like in this area, we don't have the refuges right around McGrath, but there is some public BLM land. But if people knew that they could at least call BLM in Anchorage at this number and identify the lands that are open or something. But maybe we would be directing the staff of Subsistence to be working at identifying the federal lands on some kind of a simple description at least that could be available to hunters that they could look at and see, and where they could go for further information to clarify.

24

25 Because on this matter of allotment that was just mentioned, I had heard that also. And then somebody from one of the agencies yesterday, I'm sorry I forgot who, said that no, federal allotments aren't open because it's private land or something like that, even the unconveyed. So there's a difference of opinion about whether allotments are or are not open. If that could be clarified so that people would know before the season that yes, if you have allotment and it hasn't been conveyed yet, that is considered federal land.

34

35 MR. KURTH: I can clarify that for you right now, if you'd like.

37

38 MR. COLLINS: Okay. But the point I was making that before next season, if that would be written down for people so that they would have something that they could refer to to know, with some of those answers on it. Yeah. Go ahead.

42

43 MR. KURTH: Right. Again, all the lands, when the title is in the United States, are public lands, except for those lands that it lists here; less the State land selections and land selections made under the Native Claims Settlement Act, which are Native corporations and some certain exceptions in Southeast. Native allotments aren't selected under the

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Native Claims Settlement Act, they're made under the Allotment Act that was much earlier. So until the title to allotments is transferred to the person entitled to it, the title is in the United States and it's not one of those exceptions; therefore, it is part of the federal lands that is eligible for priority for subsistence uses. So unfortunately, it's just complicated.

6

Another thing, perhaps, for the record, in our Regulations booklet, in the very end of it, there's a fairly exhaustive list of the federal offices throughout the State of Alaska. And most people, I think, recognize the local offices, and we've got all their phone numbers and all their addresses in there. So I don't expect everybody knows that, but we have heard from the public that they want these addresses, and we've tried to provide them. It does take time for folks to get to know us and who we are, so appreciate your comments.

16

MR. COLLINS: Maybe that information you just conveyed could come out in next year's season and bag limit and about allotments or some of that (ph) or -- you know, whatever can be done to clarify this so they would be able to figure out from there as to what is or is not open, what (ph) the federal lands are used for.

23

MR. SIMON: As far as allotment is concerned, it started in '71, I think, Native allotments.

26

MR. KURTH: One thing

28

MR. SIMON: Before that it started but, you know, for land claims and stuff like that, it started in '71.

31

MR. KURTH: We are concerned about the allotments and that, even before the title is conveyed, it is occupied, sometimes, by the person whose allotment it is, and we're not really wanting to encourage people to use other individual's allotments. So it is a priority use there, but yet it's not something we really want to publicly encourage everybody to go on somebody's allotment, because the actual transference of title often takes a long time after the person really is occupying the allotment and using it and things. So it is a very special category of land.

42

MR. COLLINS: As long as it's held in trust, is it federal land then?

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MR. KURTH: The -- my understanding of Native allotments is the title is actually transferred to the individual, but it's a restricted title; in order for them to

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sell it or do some things, it does require some additional steps with -- you know, with the government to clear that. So it's -- the title is in the individual's name once it's transferred but there are some restrictions on how that person can make a subsequent transference of property.

5
6 MR. COLLINS: And at that point, it becomes private land and it would be under State Fish & Game

8
9 MR. KURTH: That's correct.

10
11 MR. COLLINS: regulations? Okay.

12
13 MR. KURTH: That's correct.

14
15 MR. SIMON: And as far as Fish & Game is concerned, if I got a -- like I got a allotment right now, is it breaking of federal rules if I go out and kill moose on my land?

18
19 MR. KURTH: Under the existing law, the regulation of Fish & Game on the Native allotment would be under the State's, you know, hunting and fishing regulations, and they would apply to the activities on that allotment.

23
24 MR. SIMON: In other words, I don't own the place, right?

26
27 MR. KURTH: You would own the place, yet there still are laws that would apply by the State.

29
30 MR. SIMON: It's in my name and I'm here, and if I'm gone or somebody -- my kids or my grandkid takes over, what's he going to (indiscernible). I have no right to kill anything on my own allotment?

34
35 MR. KURTH: The -- you know, again, this is a State hunting and fishing regulation process. But on all lands in the State of Alaska, other than federal public lands for subsistence purposes now, the State hunting and fishing code applies on all lands in the State of Alaska, and that's the legal framework. I'm not trying to make an editorial whether that's right or wrong, but that is, you know, what the law is right now.

43
44 MR. SIMON: (Indiscernible) on papers, though, I'm just asking you to see if

46
47 MR. KURTH: Yeah, I understand it, it's a very valid question.

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1 MR. SIMON: Yeah.

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3 MR. KURTH: And people ask that often, it's a good
4 question. But that's the way the lawyers tell me now, is other
5 than federal public lands for subsistence, all of the State
6 Fish & Game regulations apply on all lands in the State of
7 Alaska.

8

9 MR. SIMON: When I have no right to -- if somebody is
10 from down in the States or someplace, coming and kill a moose
11 there, I have a right to kick them out or something?

12

13 MR. KURTH: You have the right to -- your prop- -- when
14 you have title to the property, you can tell anybody else that
15 they can't use that, that is your right; they can't trespass on
16 your property without your permission.

17

18 MR. SIMON: I didn't know that. 'Cause I own the place
19 but I have no right to say anything according to federal and
20 State.

21

22 MR. KURTH: If you own the title, it's your private
23 property to control the access to it however you choose.
24 Somehow -- I recognize that's not necessarily an easy thing to
25 (indiscernible - voice lowers, away from microphone).

26

27 MR. SIMON: Yeah. Well, I see some guys get in trouble
28 around here that's how come I'd asked.

29

30 MR. HUNTINGTON: Coming back to the agenda, I guess Ray
31 had a legitimate concern among the issues. I think we should
32 maybe break for recess, a 10 minute recess and come back with
33 some more main concerns. How does the Board feel on that?

34

35 UNIDENTIFIED VOICE: Sounds good (ph).

36

37 MS. GUTLER-STRICK: Fine.

38

39 MR. HUNTINGTON: Okay. We'll take a 10 minute recess
40 and

41

42 (Off record)

43

44 (On record)

45

46 MR. HUNTINGTON: Okay. I call the meeting back to
47 order. And the next thing on our agenda was Identification of
48 Regional Issues. I guess we have some issues here that we

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could probably bring up. Any Board Members here have some specific issues or whatever you want to discuss, any order?

2

3 MR. REAKOFF: Mr. Chairman.

4

5 MR. HUNTINGTON: Jack.

6

7 MR. REAKOFF: I'd like to -- I think that the C&T determinations for the area that I come from near the Dalton Highway for -- at least for the big animals that are lacking, which would be black bear and caribou, I think that it would be prudent of our Regional Council to bring it to the attention of the Federal Subsistence Board that this area is a high use sport area, and that these customary and traditional determinations need to be brought up to the forefront of their C&T determination list. And I'm not really sure how we would go about doing that. Would we make a proposal or are we -- can we deal with these kind of things with a proposal or

18

19 MR. KNAUER: Mr. Chair, in response to that, that would not be a proposal but it would be a recommendation to the Federal Subsistence Board, and you would do that by letter recommending whatever you chose there.

23

24 MR. COLLINS: Mr. Chairman, is there need for biological data? Should we be requesting, from your department, that data be gathered on that so that they have something to go to the Board when they make their decision or do we wait for them to get that information? I mean we could make a recommendation now, but what do they need to make their decision? Is -- you know, do we need to direct some of your staff to go out and do field work or to gather information -- supporting information?

33

34 MR. KNAUER: The way I understand Mr. Reakoff's recommendation would be that they prioritize the process, not that they make a particular determination of Community A for Black bear or Community B for caribou, is that correct,

38

39 MR. REAKOFF: Well, I'm --

40

41 MR. KNAUER: at least a start?

42

43 MR. REAKOFF: I'm making a rec- -- would like to make a recommendation that would prioritize Unit 24 which is where -- which is part of our regional area, and to prioritize the C&T determination to the head of the list for those animals, which are caribou and black bear, because of the chance of sport use of this area.

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1 MR. KNAUER: Right. And your justification is because
2 of the impact on sport users in that area.

3
4 MR. REAKOFF: Um-hum.

5
6 MR. KNAUER: And you're making the recommendation that
7 they prioritize the study

8
9 MR. REAKOFF: Yeah.

10
11 MR. KNAUER: that is occurring there, not for a
12 particular community right now, but that that would be -- that
13 would come out

14
15 MR. REAKOFF: Yeah.

16
17 MR. KNAUER: as a result of the study,

18
19 MR. REAKOFF: Yeah.

20
21 MR. KNAUER: is that correct?

22
23 MR. REAKOFF: Um-hum. Well, it's my understanding that
24 there is a 12 year process for these C&T determinations. And I
25 feel that I don't want Unit 24 pushed back to Year 11, I want
26 Unit 24 pushed up to the front 'cause this -- in our region, it
27 is not the or the only high use area but it is one of the high
28 use areas without C&T determinations with caribou and black
29 bear. There's probably other areas in other units, but I'm not
30 familiar, you know, like the Innoko area and the high use; they
31 must have a C&T for moose there. I don't know.

32
33 But this is an area that I am familiar with, and I know
34 that this is going to be a problem in the near future. And I
35 want -- would like to see this C&T pushed up to the forefront.

36
37 MR. KNAUER: The information that you have provided
38 right there is some of the significant justification that you
39 would wish to have included in your letter. The specific --
40 the specifics is the information that after the staff received
41 direction from the Board that they would obtain biologically
42 and culturally, that's material that they would put together
43 during the process itself.

44
45 MR. HUNTINGTON: We have a question from the back
46 here.

47
48 MR. YOKEL: Thank you, Mr. Chairman. I'm Dave Yokel

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with the Bureau of Land Management, R (ph) District. If the Council chooses to make this recommendation, I would like to suggest that it be more comprehensive, to include GMUs 20F, 25A and D, and to also include wolves in those -- all those units and in 26B.

5

6 There is a C&T determination for wolves, but it's, in my opinion, basically a non-determination because it includes wolves in about 17 units for all the residents of those 17 units, which is very little different from saying no determination. All the other units that I have listed are -- include part of the Haul Road Corridor issue.

12

13 MR. HUNTINGTON: Another question there.

14

15 MR. KURTH: Yeah. I might point out, I think one of the things that is important for the Council to do is to try and think again about the things that we don't know. We recognize this is a problem, and what I think can be very helpful for us is if you tell us, from your perspective, who has customarily and traditionally hunted those species in those units of the Dalton Highway Corridor. I mean, you have a lot of knowledge about that that can help us.

23

24 Further, I think that really what you're asking is to expedite a review for (ph) that. I think everyone recognizes that, in general, it's best to have an orderly process where you go from one project to the next. However, the Board has recognized, in certain circumstances, there are problems that they have to solve outside of a preset schedule.

30

31 What you need to do, if you want to prevail on the Board, to change its priority, is to give them some compelling reasons why. And I think that you know those reasons why; you know, you know what's happening there; you know, you have concerns that you know about. And so as you ask the Board to consider that, tell them why it's important to do it now; that there's got to be a compelling reason to change the schedule and address a problem that truly exists at this time. And then tell them, if you can agree, who you believe are the customary and traditional users, because that helps us in the process. While we have anthropologists and biologists, this law places a heavy emphasis on local knowledge.

43

44 And so, we're here for the first time trying to figure out how to do that, but that's really what this is all about, for you to give us the local knowledge that we don't have.

47

48 MR. HUNTINGTON: Thank you. Well, as you stated, it's

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kind of confusing for somebody that, you know, really don't understand what C&T is and the area that's affected. You know, it doesn't affect everybody, but it affects like Jack's area here and maybe a few other areas. And it's open for comment. Sharon.

5

6 MS. GUTLER-STRICK: Maybe I'm coming from another place, but I was under the impression, when I was on the Regional Council, that this is something that was our responsibility to see that was -- to see that it was done for our community, a C&T on all the species that -- you know, that we use locally. And I see from the book that only a few of the species are C&T for our area. And I thought that it was something that -- I don't know if I am supposed to start it or make a formal request for staff to do studies for C&T. But that it was our responsibility to make sure that these were done on everything, and that it was in the process of being done, but somehow, I can see that it wasn't.

18

19 So I don't know what steps to take or what I should say
20 get thing- -- get the ball rolling, so to speak, because I
21 see some species here are C&T in our area. And do I have to
22 wait until there's a problem, like in our area, I mean a real
23 a definite problem before a study is begun or shouldn't we
24 already have it in place. If it's customary and traditional,
25 then it's all there already; you know, it's not being
26 developed, it's been customary and traditional. And there's
27 probably some research already done on the law, that the
28 information may be there already.

29

30 MR. HUNTINGTON: Jack.

31

32 MR. REAKOFF: That brings up a question that I have.
33 The State was making the C&T determinations, and then they --
34 this process stopped. Does the -- did the Federal Subsistence
35 Board get all their data their determinations and plug that
36 into their computer or are they just going to go from Square 1?

37

38 MR. HUNTINGTON: Bill?

39

40 MR. KNAUER: Mr. Chairman. The -- when the Federal
41 Government took over the management of the priority on federal
42 lands, the adopted what were the State C&T determinations as of
43 June 30, 1990. They didn't adopt the State process, they
44 adopted the State determinations. We were aware -- we are
45 aware that, as you said, it was the State -- it was an ongoing
46 process. And we have access and work very cooperatively with
47 the State Division of Subsistence and share information and
48 have access to their data.

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1 And Helen Armstrong and her branch, which includes
 2 Taylor Brelsford (ph) who had to leave to go to the Naknek
 3 meeting today, and her staff have, in working with the Staff
 4 Committee and the Federal Subsistence Board, developed a sort
 5 of a map that shows different areas of the State based on, you
 6 know, problem areas such as the Dalton Highway Corridor and
 7 certain other problem areas around the State. And they've
 8 essentially said okay, here is the layout of how we are going
 9 to do things, the road map, using the State information and
 10 using the information derived from the Regional Council and
 11 from cooperative agreements that are in effect with
 12 organizations and the literature.

13

14 So they are not starting from scratch. And they do
 15 have a process. And each agency is participating to work on
 16 areas where they are a primary landowner; for example, in some
 17 areas, the Forest Service or the Park Service of Bureau of Land
 18 Management of Fish & Wildlife, depending upon who is the
 19 primary landowner, is working on it. So that there may be a
 20 number of these studies in place at the same time. But part of
 21 the process is the identification of an area that is being
 22 worked on, the accumulation of the information that already
 23 exists and the involvement then of the Regional Council in that
 24 area.

25

26 MR. HUNTINGTON: Thank you. So it would be the
 27 recommendation (ph) of this Board would probably need a lot
 28 more time to determine which areas that we want to see
 29 customary and traditional use areas. It would seem like we
 30 wouldn't have enough time today to even get into it too deep.

31

32 MS. GUTLER-STRICK: Um-hum.

33

34 MR. HUNTINGTON: But what I would probably recommend is
 35 looks (ph) like we should have another meeting some time to
 36 really go over some of these issues that we've identified
 37 today, because I know you can't just cram everything in one day
 38 and figure out (ph), you know, try and take care of it. So
 39 what I suggest, maybe if we just get all the issues that we
 40 think that'll be reasonable issues and try to come to a
 41 consensus on another meeting -- another day or two meeting
 42 sometime before the February meeting, or would that be out of
 43 the question or

44

45 MR. JAMES: No, not at all. I remind you again that
 46 the issues that were talked about yesterday, and this is one of
 47 them on these, will be consolidated into, you know, a report
 48 form, and I'll get it out to all of you as soon as we can. So,

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you've got that to refer back to to keep kind of track of where you've been.

2

3 You know, I think what I hear you saying makes sense.
4 mean, Jim Kurth has told us that essentially, in so many
5 words, he's simply saying I know this is a problem, I know this
6 needs to be taken care of doesn't carry much weight with the
7 Board. What the Board wants to know is well why, what do you
8 mean when this is causing a problem, what is the problem, you
9 know. And who, which communities, you know, and that sort of
10 thing; how much history and whatnot. If all of that that you
11 can provide will just increase your chances of prevailing, you
12 know, of convincing them yeah, this is a high priority, that
13 obviously is going to take time. You can't do it

14

15 MR. REAKOFF: Yeah.

16

17 MR. JAMES: with the time we have remaining. And
18 keep in mind, and you probably know this, this isn't part of
19 the Subpart D process and you're not looking at a November 1st
20 deadline. So, you know, you have time to build your case and
21 put it in writing.

22

23 MR. REAKOFF: So it would be within our parameter to
24 address this issue further at our next meeting and possibly
25 come up with some -- with a recommendation that could hold some
26 water with the Federal Board for their spring meeting?

27

28 MR. JAMES: That's what makes sense to me. You may
29 want to, you know, provide a working draft for this Council for
30 their next meeting, whenever that might be, or get it out to
31 the members sooner through me so I can distribute it or I can
32 help you to whatever degree possible. But what we're talking
33 about here is not getting the staff all set up to do the
34 search, because they're all clogged up anyway, and that's why
35 we had this problem in the first place, you know what I mean.

36

37 MR. REAKOFF: Yeah.

38

39 MR. JAMES: What they want to know is your point of
40 view

41

42 MR. REAKOFF: Yeah.

43

44 MR. JAMES: and the information that you have to
45 feed into the system.

46

47 MR. REAKOFF: Yeah. Well, I think that we should table
48 for our next meeting and come up with some ideas on that or

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it could be on our agenda for our next meeting. It's -- I would prioritize it.

2

3 Another -- the other thing that I have seen in our areas is the statewide problem that has affected our area is military bases -- or military installations having -- that are put into rural areas, and those military personnel have rural status to compete with the real rural residents who reside there. And I think that that problem should be addressed at our next meeting also, with possibly recommendation to the Federal Board with a similar recommendation to -- for them to address this military installation problem in rural areas. They have addressed it with Adak, then they quit. There's a whole bunch of other military installations all over. There's little golf balls (ph) all over the hills out here with military personnel that qualify for subsistence. And this was brought to light last year with people from Fort Greely competing in the sport hunt -- or the subsistence hunt on the highway. Alls that did is shine a light on the problem that's been there from when I was a kid in Galena, when there's dead beavers floating all over the place 'cause military people are shooting everything that moves. They're not subsistence people, they're just out there goofing around. And this, also, should -- I feel should be worked on at our next meeting as some type of C&T work by the Federal Board on that military installation problem.

26

27 MR. HUNTINGTON: David.

28

29 MR. JAMES: I think what you're talking about rural determination.

31

32 MR. REAKOFF: Um-hum.

33

34 MR. JAMES: Which is apart from C&T. The question I'd like to have clarified by maybe Bill or Jim is who's -- what's the authority for changing rural determination, does that rest with the Board or does that go to the Secretary?

38

39 MR. KNAUER: It rests with the Board.

40

41 MR. JAMES: So that is within their authority?

42

43 MR. KNAUER: Yeah. Other than in a very unusual circumstance where the Board has kind of expressed its intention not to review rural status until the next census in the year 2000. And further, the -- when community status would change from rural to non-rural, there'd be a five year lag period in our regulations before they would lose the

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subistence priority. So, you know, in terms of addressing some of these places like Fort Greely, I'm not so sure that rural necessarily is the way to do it. But I think it'd be pretty straightforward to articulate they haven't customarily and traditionally hunted in some of these areas for subsistence purposes.

6

7 But I mean, I think it's pretty obvious to all of you, you know that I don't know and I don't live up in that country. 9 But you guys know it and it seems very obvious, you know, at 10 least to those of you from that part of the country. And I 11 think with some thought, you could draft out something that 12 would describe your observations and your knowledge about who 13 does use those parts of the world.

14

15 MR. JAMES: So it sounds like C&T would be the 16 appropriate

17

18 MR. KNAUER: Um-hum.

19

20 MR. JAMES: step (ph).

21

22 MR. SIMON: Mr. Chairman, I got a question here about 23 military stuff here. I'm from around here, and this military 24 business and stuff like that, as far as I'm concerned, that 25 they are here to protect America and USA and stuff like that. 26 And we have no right to say well, you don't belong or they're 27 over (ph) in Asia or someplace. And we have right -- they're 28 protecting our lands and they're protecting the people of USA. 29 And what we got against them? Young kids come up here and do 30 they want, and I don't know (ph). I've never been in the 31 military but from my opinion that we should, you know, get 32 along with the peoples. People that we don't where they come 33 from first place (ph) (indiscernible) we are (ph). From my 34 opinion that's for right here, right now that I'm just in- 35 between right now.

36

37 MR. REAKOFF: The military people wouldn't be excluded 38 from hunting, they would -- but they wouldn't have the 39 subsistence priority. If there was a problem with the moose 40 herd in and around Huslia, they wouldn't have a priority to 41 compete with you if there was some, you know, problem with the 42 moose herd. If they want to go hunting, they can hunt on state 43 they can buy a resident hunting license, they can hunt on 44 state land in the State season. But right now, when they put 45 military into rural areas, they have a priority with the rural 46 residents for subsistence, but they don't live from 47 subsistence; they're just sport hunting. And they can buy -- 48 they can hunt under the State seasons and go sport hunting and

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fiddle around just like they always would. But if there is a problem with the moose herd or a game population, they wouldn't have a priority to hunt those animals, just the people who customary and traditionally hunted those animals would have that priority.

5
6 MR. SIMON: Well, for the information, your parents came from down in the States, okay.

8
9 MR. REAKOFF: Um-hum.

10
11 MR. SIMON: Well, you got a right to hunt around here, too, but we don't go down there (ph) and hunt. We have no right to say what they're doing in their state.

14
15 MR. REAKOFF: But they're not -- they haven't chosen to live or they don't live there and live from those animals.

17
18 MR. SIMON: Yeah.

19
20 MR. REAKOFF: They don't rely on those animals for their living to eat. They eat in -- they live in -- they eat in the mess hall, they have a commissary. They have these things that it's not that they're residents, they don't even have a house; they live in a military base. So they're not really residents, they just are coming here. If they want to hunt, they could hunt under the general hunt. But when it comes to subsistence they're not really living a subsistence lifestyle, they don't live from the

29
30 MR. SIMON: Well, who doesn't? We come from down there so they come from down there. We come -- they come from down in the States, well, Canada, Asia, anyplace. (Indiscernible) Federal -- do we have a right to say anyone's special (ph), it's federal government.

35
36 MR. HUNTINGTON: It sounds to me like there's a loophole in the determination status for rural residents, and what could we do to, you know, correct that problem? I see there's a problem in Galena, because every now and then someone'll throw a whole moose away in the dump, you know. And it's no secret that, you know, the military has got guys coming and going all the time out in the boats (ph) and stuff like that, and it's been a problem for years. And it's going to be a problem until it's corrected. I can see their point of view.

45
46 MS. GUTLER-STRICK: I just wanted to add to that that I do see that they have some privileges that the rest of us don't have, and that is things like the commissary, the BX or

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whatever. So they have their privileges because of the lifestyle they have chosen, and we should maintain ours.

2

3 MR. HUNTINGTON: So what's the suggestion here, we'd
4 probably recommend that maybe military personnel in the Bush be
5 limited to subsistence -- or not doing (ph) subsistence
6 or

7

8 MS. GUTLER-STRICK: State resident status, not rural
9 status.

10

11 MR. HUNTINGTON: Okay, yeah. I think that is probably
12 pretty more likely of getting passage on that. So is it the
13 Board's wishes to recommend that maybe we give the military
14 personnel in the Bush State status instead of rural status?
15 Cause it's a problem and nobody seems to be doing anything
16 about it.

17

18 MR. SIMON: In my opinion, excuse me, but we should
19 leave it up to the next meeting or something.

20

21 MR. HUNTINGTON: Yeah. Well, right now, I think we're
22 just going to identify the issues that's

23

24 MR. SIMON: Yeah.

25

26 MR. HUNTINGTON: really a problem and trying to
27 get all the information we could before the next meeting and,
28 you know,

29

30 MR. SIMON: Right.

31

32 MR. HUNTINGTON: come to a conclusion on what's
33 the proper steps to address them. And I agree, it's a problem.

34

35 MR. REAKOFF: The Federal Board would have the
36 authority to make that determination, would they, I guess the
37 question is for the staff on whether who is rural and who is
38 not. I mean, they determine that, right?

39

40 MR. JAMES: Under the C&T determination process, they
41 will not come to the conclusion that somebody is, you know,
42 non-rural. They've come to a different conclusion, which I
43 think would be no subsistence, would it not? But I'm not that
44 familiar with the

45

46 MR. KNAUER: Well, as Jim Kurth stated, they could make
47 determination that they were non-rural. But you also heard
48 him say that the Board is disinclined to make any new non-rural

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determinations until the 2000 -- year 2000 census is out. So that would not be an immediate solution. Another solution would be -- or another way of resolution would be during the customary and traditional use determination process. And I think it would be pretty -- it could be pretty clearly shown that the military personnel do not have customary and traditional use of the resources. I think that will be a quicker process.

8
9 Mr. Reakoff is correct in stating that the military personnel would still be able to harvest fish and wildlife on federal lands under general State regulations where they have not been precluded by the Federal program. So the -- there would not be the total loss of opportunity

14
15 MR. COLLINS: Right.

16
17 MR. KNAUER: for them.

18
19 MR. COLLINS: But they wouldn't have customary and traditional use, he means (ph)?

21
22 MR. KNAUER: Right.

23
24 MR. COLLINS: Yeah.

25
26 MR. SIMON: Well, I got a question on that. This military, non-military, I think that means (ph) white face (ph) Indians or -- for federal land. There's white guys going up there non-military, too, hunting, things like that. We're kind of having discrimination here. My opinion that we're -- you know, White guys, Indians, the small (ph) people like that. Do you have a right to turn the military down because they're white or colored or what you got there?

34
35 MR. KNAUER: Mr. Chairman, that would have nothing to do with racial background or ethnic background. It would have to do with their customary and traditional use of that resource. Congress chose to pass ANILCA with a geographic discrimination factor. The geographic discrimination factors say rural Alaskans, they didn't say Natives or they didn't say some other ethnic group, they didn't put a dollar amount saying that if you made less than \$10,000.00, but they chose geographic. And so that is the process that we're under right now.

45
46 MR. SIMON: Excuse me. I don't think it's right for us to make (indiscernible) against another people -- against another people because we're all Americans.

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1 MR. COLLINS: Franklin, I don't hear us doing that.
 2 Franklin, what we're saying is that those military people there
 3 didn't have customary and traditional use. I mean, their
 4 families haven't been living in rural Alaska for hundreds of
 5 years depending on the resource (ph). All we're saying is that
 6 they don't have a customary and traditional use of that game
 7 like your people do and other peoples that have lived in the
 8 Bush for a long time. They've come to depend- -- they've
 9 raised their family on game, military personnel have not.
 10 We're not discriminating against them, we're just saying that
 11 they have not had a dependence on that moose and game to feed
 12 their families like other rural residents have. You see,
 13 that's

14

15 MR. SIMON: Well, in other words, we have people from
 16 Alaska and the State (ph) that we have people that's in
 17 military and National Guard from the State.

18

19 MR. COLLINS: Right. But if -- that wouldn't exclude
 20 them if they, at the same time, when they weren't in the Guard,
 21 lived in the rural area, then they would have the customary and
 22 additional use as a rural resident. But yeah, I see what you
 23 mean. But the bulk of the military personnel or if not all
 24 would be mostly be non-Alaskans or non-(indiscernible - voice
 25 lowers).

26

27 MR. YOKEL: I'd like to point out that the customary
 28 and traditional determination does not say we will exclude so
 29 and so from use. It says we will include such and such people.
 30 So you're not excluding a particular group. When you make a
 31 determination for caribou along the Dalton Highway Corridor,
 32 you'll be excluding Ms. Demientoff from use there, too, under
 33 federal regulations; people in Holy Cross won't be included in
 34 that customary use -- customary and traditional use
 35 determination, I don't believe.

36

37 So you're not singling out a group to exclude from the
 38 use of the resources, you are singling out a group to include
 39 in the use. And I'm hopeful that this will clarify some of the
 40 confusion that I perceive right now.

41

42 MR. COLLINS: See, and if you look in this -- on the
 43 regulations here, it'll pick out in -- on the use of this, it
 44 says customary and -- well, I'm looking at Unit 23, Page 95,
 45 under brown bear, for instance, it says: Customary and
 46 additional use determinat- -- rural residents of Units 21 and
 47 it says have a customary and traditional use. So it tells
 48 who is. But I guess they would have to make a determination

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that rural residents except military personnel or something like that, or except the military base of Galena or whatever have customary and traditional use. That's the kind of determination they would give (ph), because they list who has the -- who's the ones that have customary and traditionally hunted there. And that excludes everybody else in the State except the ones that are listed under those findings.

7

8 MR. JAMES: A suggestion. In the regulations, which are Section 8, in the back, it has all of the C&T determinations in a tabular form here. They're not -- here, they're scattered out. Here, they're condensed. Okay. You can see the format. This is the result of an action, of a C&T determination, which, you know, conceivably would fit the situation you're describing.

15

16 Okay. And you start off, it identifies the area. Well, one could envision that they would say Fort Greely there, I guess. And then it would have the species that you were interested in. That might be one way to determine -- anyway, then you could see the categories over on the right-hand column are no subsistence or they go ahead and identify yeah, these are bona fide (ph).

23

24 You see, so the only point I'm making here is I'm not trying to get involved in the discussion between whether you should do something or not, but all I'm saying is -- just trying to shed some light on the process, the C&T process, you know, how it would end up showing up in the regulations here, if that were to take place. And of course, that's different than this rural determination thing that Bill was -- is explaining.

32

33 MR. KNAUER: Mr. Chairman.

34

35 MR. HUNTINGTON: Yeah, Bill.

36

37 MR. KNAUER: I might point out an example. On Page 28962 there in the document that you're looking at, about halfway down the column, this is in GMU 26. As you find it, then go across to moose. If you go across to the right side, you'll see it says Residents of GMU 26 (except the Prudhoe Bay/Deadhorse industrial complex) and it continues, and residents of Point Hope and Anaktuvuk Pass. That is an example of how it might -- you know, the wording might be. It would certainly be a little bit more complex because of the varying situation of the military. But that's just an example.

47

48 MR. HUNTINGTON: Well, I guess is there any more

49

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discussion on that? I guess that's one problem -- one area that we'll have to discuss further and see what kind of a solution we can come up with. It seemed like it'd just be rewording the law, but it's not that easy; there's a process we got to go through and to find out the easiest way to get the determination. I hope we don't have to wait until the census, the next census.

7

8 Is there any more discussion on that? We'll put that down as one of the areas that needs some attention. Does the State (ph) have any other recommendation?

11

12 COURT REPORTER: Could you speak up?

13

14 MR. HUNTINGTON: Okay. Well, any other ideas on this or suggestions?

16

17 MR. SIMON: Yeah. I got -- I still don't get clarified on this through (ph) military people that now (ph) have a right to hunt and this (indiscernible) right here on federal lands and stuff. I might be military and I don't know (ph). But the people -- I'm trying to get across to you guys that we can't make this cutting (ph) for these people till the next meeting, maybe (ph). We'll have somebody from military that knows, that lives in there. I got kids and maybe (indiscernible) -- got laws and something like that. And there is people -- a lot of people here that I have a right to say something about. We just can't make law. That what we're saying right today it's going to affect our next meeting or something like that, in minutes (ph), you know. So we don't know where peoples live, you know.

31

32 In other words that I'd like to clarify that I don't want to misunderstand you, because I've been asking a lot of questions before I came here and stuff like that. So it's up to the Board or it's up to the people (indiscernible). What you're saying right now, somebody is going to ask you what's going on later on, not today, maybe next day. So it's up to us to decide what you're thinking about, you know.

39

40 MR. HUNTINGTON: Well, moving onto something else. I guess we've got some other concerns that we better start identifying before the end of the day. Any other concerns from the Board or -- I guess some of the issues that we are concerned about are up here on the sheets there. I guess one of the main concerns is we have a letter here that was passed around that some of you Board Members might have looked over.

47

48 MS. GUTLER-STRICK: Do you need it back right away?

49

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1 MR. HUNTINGTON: No, not right away.

2

3 MS. GUTLER-STRICK: Can I finish reading?

4

5 MR. HUNTINGTON: I read it and I think understand the
6 issues. We'd like to recommend that this Board recommend to
7 the Secretary that we would like to have the federal lands --
8 or federal navigable -- state navigable waters under the
9 jurisdiction of federal management. And that was from Doyon
10 and Tanana Chiefs. And I think it would be one of the -- I
11 think it should be one of our main goal, to try to get that
12 issue recommended anyway. I think that's one of the issues
13 that we should -- we're going to have address sooner or later.

14

15 MR. GRAHAM: Is this basically the same thing that
16 M6. Yaska was talking about?

17

18 MR. HUNTINGTON: Yeah, it's the same thing.

19

20 MR. COLLINS: Mr. Chairman, what if we approached it in
21 a slightly different way and said that we believe that the
22 residents of the Yukon and Kuskokwim River (ph) have a
23 additional dependence on fall chum salmon and ask the Federal
24 Government to do what they can to assure that people have
25 continued use of that as a subsistence resource or something,
26 and not make a statement about navigability or non-navigability
27 -- I mean that's kind of a legal question that somebody else
28 going to settle. But we could identify that as a
29 subsistence species that those people are dependent on, and
30 whatever efforts is in the Federal Government probably (ph)
31 they should act to make sure that they continue to do that.
32 Because we're supposed to make recommendations about the
33 resources and the use of those resources is where I see us.
34 Would that be a different way of approaching this?

35

36 MR. HUNTINGTON: Well, I think what he wants is a
37 unified effort from everybody that's involved. Because on the
38 Yukon, this is a real hot issue.

39

40 MR. COLLINS: Right.

41

42 MR. HUNTINGTON: And it's something that I think this
43 Board can make a difference, you know. I think this Board is
44 up to make recommendations to the Secretary of the Interior
45 our right to exist, subsist, you know, and that's being
46 threatened right now. I'd like to see this Board recommend
47 that the Feds take over on state waters to ensure that we have
48 enough fish -- the rural residents have enough fish to survive.

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1 How does the other Board Members feel about that? You
 2 know, I know it's important in the Holy Cross region and we
 3 depend a lot on fish. And you know, when you see the State cut
 4 off the fish like they did, you know, it kind of leaves us in a
 5 bind. And I see this Board as being one of the process -- or
 6 one of the ways that we can address the problem. I think this
 7 Board carries some weight. But we're just going to have to
 8 kind of work it out and come to some kind of a solution.

9

10 Is there any other

11

12 MR. SIMON: Yeah, I got a question here about the fish.
 13 I live on (indiscernible) River, I don't live on the Yukon
 14 River but (indiscernible) -- Yukon River. These people depend
 15 on fish for years, you know, we're subsistence hunters and
 16 things like that. And these people, they got cut off, but it
 17 isn't right (ph) for Federal Government or State to do. And
 18 it's something that our -- we came from around here, we live
 19 around here. It's something that -- something down at Juneau
 20 Washington didn't have the right to cut people off from
 21 fishing, that's subsistence, you know, fish and wildlife and
 22 stuff like that, you know. 'Cause I am speaking for a lot of
 23 people right now, 'cause like I say for Interior Secretary or
 24 somebody, that a lot of peoples got cut off and a lot of people
 25 don't eat fish this winter (ph). They said somebody
 26 (indiscernible) and they're selling it by pounds instead of
 27 fish. So you got 10 pound fish, you got 16 ounce for 10
 28 pounds, you know, things like that for (indiscernible) and
 29 Federal (ph). These people depend on those (ph). People who
 30 are living out at (indiscernible) -- stuff like that, those are
 31 the fish persons (ph), State. But it isn't right for like
 32 (indiscernible) and stuff like that and people that depend on
 33 land. We've lived like that for years. I would say that -- I
 34 would speak for (indiscernible), I'd have to help them any way
 35 could as far as their fishing is concerned. You know, it's
 36 our lifestyle, you know.

37

38 MS. DEMIENTOFF: Well, I'll speak for Holy Cross, you
 39 know. Traditionally, in Holy Cross, we fish from June until
 40 August every year. Okay. During the month of June, we catch
 41 our king salmon. We do not fish fall chum -- or summer chum
 42 because we do not mix the chum salmon with the king salmon. If
 43 you catch any chums, you put them in the open catch (ph) where
 44 you don't mix them with your kings. So the only time we ever
 45 after those fall chum is when our smokehouses are empty and
 46 cleaned out. We clean out smokehouse, and we got it all ready
 47 for fishing, and then we got the big phone call; no fishing.

48

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We have 29 Elders that need that fish. Of those 29 Elders, I think three may have some fall chum in their home right now. The other 26 are going to go begging. When the State cut us off, they cut us off hard. Many of us don't have jobs. Out of 140 able-bodied people living in my village, 35 people are employed. What's the rest going to do? How are they going to feed their kids this winter? Those who have dogs now have to go to the store and buy dog food. We never had to buy dog food. We always had the fish. You know, and we hung our fish, the good ones we ate, the ones that spoiled we fed to our dogs.

11

12 So we were really hit hard when the State closed us down. Anvik, Grayling and Shageluk were hit the same way. We called Shag, well, we got some fish left over but just enough for us. He couldn't sell us fish. We called Anvik looking for fish to feed the dogs, no, we don't have any fish. Anvik was hard hit because they had two commercials this year, they didn't get the chums like they usually do. Grayling, the same way.

20

21 So when the State closed us, they hurt us badly, and I would like to see the Federal Government come in and do something to help us out. All this -- you know, in the past, we've always had enough, but now we don't. And I prefer to see Federal management of our waters.

26

27 MR. HUNTINGTON: Thank you, Angela.

28

29 MS. DEMIENTOFF: You're welcome.

30

31 MR. HUNTINGTON: Jack.

32

33 MR. REAKOFF: Actually, I live way up ahead of the Koyukuk River, and we don't get very many salmon. But we used to get chum salmon up there and now I -- we see kings but we don't see any more chums. The chums have been going down, down, down. We're the last place where those fish go, and I can still see the effect. And I agree with everybody here that the State -- I don't think that the managers are to blame so much but the State's government has -- they've pushed the allocations down into False Pass where they have high chum catches, bi-catches and allow that interception to continue. People I know for years and years and years in Western Alaska have been screaming to reduce that chum cap down to where they if they catch too many, that that's the end of it, and let the fish go up the river. But the State system has allowed the interception of those fish for years and years.

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And I agree with everybody here, that the Federal Government would probably be more inclined to listen to the local subsistence users inland than the State hierarchy down in Juneau. The hierarchy down in Juneau doesn't -- turns a deaf ear, I know because I've been hearing the people in rural Alaska screaming for the fish. Rita Williams in Allakaket is telling me last year that there's no fish there, and she's -- she was really sad because these chum salmon were going downhill.

9

And so I know that the fish have been going downhill. I've heard the rural residents screaming to allow more fish to go up the river. The State's turned a deaf ear to it. Again, subsistence has gone wanting when other interests have won out.

14

MR. HUNTINGTON: Thank you, Jack.

16

MS. DEMIENTOFF: Another comment regarding the fish. I know of a person who's working in the Anvik River that counts fish. He gave me a figure at the end of the season of how many fish went through the sonar, so he knew because he lived there all summer long. Fish & Game came to my house and tells me well, only X number of fish came into the Anvik River. I said oh, I talked to the guy who worked there all summer long, you're 2,000 fish -- 200,000 fish off. You're trying to tell me only 500,000 went to the Anvik to spawn, there was 750,000 there. And then you cut us off on fishing. So I know Fish & Game is cheating on some of the things they do. And they looked at me like you're -- you know, you don't know what you're saying.

30

But the reason I can be so sure of what I'm saying, the guy who works in the Anvik River for the Department of Fish & Game is my brother, and my brother will not lie to me. 'Cause he told me last year how much there was, and I -- and he's been working there three years so he knows what goes in and out of there. So I know Fish & Game does not give us the right statistics, that's a known fact.

38

MR. HUNTINGTON: So I guess everybody pretty well agreed that we don't have much choice. I guess what we should push for is federal management on State waters to protect the subsistence use. And I'm all for that. And I think the State has done a pretty poor job of taking care of the indigenous people.

45

So any other Board Members that doesn't agree with me or most of the Board? What I would like for this Board is to commend federal management on state waters for subsistence,

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and how to go about it is -- you know, it's up to the Board, I guess. Any ideas, any comments?

2

3 MR. JAMES: Are you suggesting then that you or someone
4 on the Council is going to move that a letter be drafted to
5 that effect and send it to the appropriate place?

6

7 MR. HUNTINGTON: Well, that could be one way, yeah.

8

9 MR. JAMES: I'm just trying to keep track here so
10.....

11

12 MR. HUNTINGTON: Also, maybe back up the letter that we
13 have in front of us on Doyon and Tanana Chiefs' proposal to let
14 the Feds take over management on State waters. Bill.

15

16 MR. KNAUER: Whatever action you take, whether it's a
17 motion for the -- for a federal takeover of fisheries and
18 navigable waters or a recommendation that the Secretary assure
19 subsistence resource such as Mr. Collins suggested. Whatever
20 you choose to do, remember this sheet that David indicated in
21 thinking about supporting it by substantial evidence, couching
22 in terms that does recognize principles of the fish and
23 wildlife management and that would be protecting the
24 subsistence needs. If you do those things, you will, as he
25 said, stand a much better chance of success, no matter what you
26.

27

28 MR. SIMON: I have a question, Mr. Chairman. I don't
29 quite get it for actually for Federal to take State over, the
30 Federal and State -- (indiscernible) State for Fish & Game, for
31 Federal Wildlife (ph) and stuff like that. We're all still
32 under the same outfit in Washington, so what's the difference
33 between taking the rights of people. We're going to run
34 somebody out of a job or something like that, whoever is
35 working there. Coming right down to it (ph) somebody's going
36 to lose a job here and there or something like that.

37

38 MR. HUNTINGTON: Bill, have you got

39

40 MR. KNAUER: Yeah. In response to Mr. Simon. Whether
41 the Federal Government or the State Government manages the
42 subsistence fishery resource, there would probably not be --
43 you know, I don't -- I can't say but there would probably not
44 be a net loss of jobs. Currently, the laws of the country say
45 that the state will manage the fishery in certain situations.
46 There are other laws, such as ANILCA, that say that on federal
47 lands, the Federal Government will manage the fish and wildlife
48 resources to provide the subsistence priority.

49

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1 So, you know, there are laws that say who does what.
 2 And whether or not we agree or disagree, we have to follow
 3 them. Now, where we can make -- where you folks can make
 4 recommendations and have some chance of success are things that
 5 relate to policy and some of the implementing regulations,
 6 which is the area in which the Secretary is soliciting your
 7 input on all issues related to subsistence on federal lands.

8
 9 MR. SIMON: In other words, excuse me, we take over
 10 that but (ph) the State have a right to say something too. A
 11 lot of peoples employed by the State or Federal Government,
 12 there are a lot of State workers for Fish & Game and stuff like
 13 that. These people under what we are saying right today, if we
 14 make a law (indiscernible) or something like that, they're
 15 going to come back to us and what's the reason.

16
 17 MR. KNAUER: Just remember that whatever action you
 18 take here it is a recommendation to the Board -- to the Federal
 19 Subsistence Board and to the Secretary. It is not a final
 20 decision. And at that time that the Board and Secretary choose
 21 to deliberate, all parties, including the State of Alaska,
 22 other parties throughout the State, will also have their
 23 opportunity to provide input.

24
 25 MR. HUNTINGTON: Phil.

26
 27 MR. GRAHAM: Well, the way -- and I can't remember his
 28 name, the way this man explained it, the Secretary of the
 29 Interior is -- has this thing on his desk, and he's going to
 30 make a determination whether navigable waters are under federal
 31 jurisdiction or they're going to remain under state
 32 jurisdiction, am I right on that or -- that's what I thought I
 33 heard him say.

34
 35 UNIDENTIFIED VOICE: Um-hum.

36
 37 MR. GRAHAM: He's got to meet (ph) sometime. So can't
 38 we just recommend to Bruce Babbitt that navigable waters be put
 39 under federal jurisdiction. Can we just send that as a
 40 recommendation from us to him through the State -- or the

41
 42 MR. HUNTINGTON: Under federal jurisdiction?

43
 44 MR. GRAHAM: Um-hum.

45
 46 MR. HUNTINGTON: That's what I'm trying to get at
 47 really, and we probably need a motion or something to that
 48 effect from you (ph), or discussion. It's an issue that is

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pretty important. I'd like to recommend to the Federal Board
 or the Federal Council that, you know, this body (ph) that
 Yeah, we'd recommend that the Feds manage the State waters.

3
 4 MR. GRAHAM: And they'll pass it on to the Secretary of
 the Interior.

6
 7 MR. HUNTINGTON: Yeah. Um-hum. That's all we can do
 as recommend. So I guess we might as well keep going on, I
 guess. What do you suggest (indiscernible)?

10
 11 MR. COLLINS: There should be a motion or something,
 some action regarding this, I think, if we want (ph)

13
 14 MR. HUNTINGTON: Uh-huh. Okay. Well, I guess a motion
 15 in order to recommend to the Board that we suggest that --
 16 you know, we recommend that federal management on State
 waters. Is there a motion on the floor?

18
 19 MR. GRAHAM: Well, I do so move. It seems like we're
 20 in agreement, and I will -- even though I don't live on the
 Yukon River.

22
 23 MR. HUNTINGTON: It's been moved that we recommend to
 24 the Board that the federal management -- Federal agency take
 25 over management on State waters. Is there a second?

26
 27 MS. DEMIENTOFF: I'll second it, but could it be
 28 navigable water rather than State.

29
 30 MR. HUNTINGTON: Yeah. It's State navigable waters.

31
 32 MS. DEMIENTOFF: Okay.

33
 34 MR. HUNTINGTON: It's been moved and second that we
 35 commend to the Board that the Federal take federal management
 36 State navigable waters. All in favor signify by saying aye.

37
 38 BOARD MEMBERS: (In unison) Aye.

39
 40 MR. HUNTINGTON: All opposed, same sign. It's been
 41 approved that we recommend to the Council, federal management
 42 State navigable waters. And how we go about it is probably
 43 to the staff.

44
 45 MR. COLLINS: Mr. Chairman, I suggest for the record
 46 that we also make a statement about why we are concerned about
 47 that; a summary such as Angela made or something. The fact
 48 that people are dependent on that resource and it's been

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declining. And it's a concern to the residents of our area that that be managed in such a way to ensure its continued use by subsistence users or something like that as to why we're making this motion, so it doesn't just go alone.

4
5 MR. HUNTINGTON: Well, the letter is there that we have in front of us that pretty well state the problem.

7
8 MR. COLLINS: Then we should make that letter part of our official record

10
11 MR. HUNTINGTON: Yeah, I think so.

12
13 MR. COLLINS: or something, if you're using that.

14
15 MR. HUNTINGTON: Um-hum. I would recommend using that letter and backing it a hundred percent.

17
18 MR. JAMES: I need to have something clarified here. The motion that was passed unanimously was to recommend to the Board that federal management be extended to navigable waters in Alaska. But now it sounds like it's something very different, we're talking about a letter in support of another letter. So I've got to have that clarified for me so that I know what to do here and to follow-up on this.

25
26 MR. HUNTINGTON: Could we use that letter to back up our recommendation?

28
29 UNIDENTIFIED VOICE: Sure.

30
31 MR. HUNTINGTON: I think it would be a little bit (ph) easier to see than (ph) writing another letter to join that letter.

34
35 MR. COLLINS: Okay. So the minutes would need to reflect, though, what letter you're referring to, you can't just say that letter; you see what I mean, it's got to be included in the minutes or something. The letter from Doyon as of such and such a date or something like that.

40
41 MR. HUNTINGTON: On what page (ph)?

42
43 UNIDENTIFIED VOICE: I'm not sure where that is.

44
45 MR. HUNTINGTON: At the end of it (ph).

46
47 UNIDENTIFIED VOICE: Have you got that other page aside here?

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1 UNIDENTIFIED VOICE: One more page (indiscernible).
 2

3 MR. COLLINS: The third page to that letter.
 4

5 MS. GUTLER-STRICK: We -- only two got this far.
 Here's one.
 7

8 MR. KNAUER: No, that's the wrong
 9

10 MS. GUTLER-STRICK: That's not the right one.
 11

12 (Side comments)
 13

14 MR. HUNTINGTON: The last page is missing.
 15

16 UNIDENTIFIED VOICE: It's probably around here
 somewhere.
 18

19 MR. COLLINS: It is a loose page.
 20

21 (Indiscernible side comments)
 22

23 COURT REPORTER: Is this on the record? It's hard to
 hear anything you're saying.
 25

26 MR. HUNTINGTON: After a little discussion here, I
 think it'll be in our benefit to recess for 10 minutes. I
 believe we lost part of the letter here and why don't we recess
 for 10 minutes.
 30

31 (Off record)
 32

33 (On record)
 34

35 MR. HUNTINGTON: Okay. We'll get back to -- back on
 the meeting here. I call the meeting back to order. We're
 still on identification of regional issues. And during the
 recess, we came up with some conclusions, maybe we should
 commend Dave James as the coordinator draft a letter stating
 that we recommend jurisdiction on the federal management on
 navigable waters. And he could draft a letter and send it to
 all the Council Members for review, and if there's any changes,
 that we could probably discuss it then. I think that's
 probably
 45

46 MR. COLLINS: And who will the letter be to,
 Mr. Chairman, that's to the Secretary of the Interior?
 48
 49
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MR. HUNTINGTON: This would be the Council,
 (indiscernible) the Regional Council. Yeah, the Regional
 Council.

3

4 MR. COLLINS: The Board -- the Federal Board?

5

6 MR. HUNTINGTON: Yeah. The Federal Board. So I guess
 that's probably -- that's what we're going to do, I guess.
 Dave.

9

10 MR. JAMES: To have that clarified for me, this -- in a
 carryover from the discussion before the recess, you're talking
 about a letter that basically supported the position expressed
 in the letter from -- that George Yaska left with the Council,
 is that correct?

15

16 MR. HUNTINGTON: Correct.

17

18 MR. JAMES: Okay. So you want a letter that reaffirms
 that this Council supports that point of view, and you want it
 addressed to the Chair of the Board -- the Federal Subsistence
 Board, not the Secretary? And the reason I ask this 'cause
 that was discussed earlier, you want it to the Federal
 Subsistence Board?

24

25 MR. HUNTINGTON: Yeah. Is there any more discussion on
 that? I'd like to get onto some more of our concerns here.

27

28 MR. JAMES: One further question. When I have this
 draft done, I will send it to all the Members, and then their
 comments will come back to me, then what does the Council wish?
 Come up with a final draft and send it back out or send it to
 you or wait for the next meeting or what?

33

34 MR. HUNTINGTON: How does the Council feel they should
 do (ph)?

36

37 MR. SIMON: Well, I for myself, I know when the next
 meeting -- where it's going to take place and I'll be -- I'm on
 a one year term, so I don't know if I'll be there or not. But
 I think it's right for us to give our attention (ph) to the
 next -- whoever is coming up, you know. 'Cause if I'm -- for
 another year or something like that, I'll bring something up
 here (ph). From what I learn here the last two days, I'll
 bring it back up at the next meeting, you know, that's the way
 the meeting goes (ph) for reappointment or -- I don't know who
 appoints you or something. My term would be up so I'd like to
 be on the Board for another couple years, if possible,
 (indiscernible) guys right here (ph).

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1 MR. JAMES: And you are concerned that if we put this
2 off until the next meeting, it'll be too late as far as your
3 involvement

4
5 MR. SIMON: Right.

6
7 MR. JAMES: is concerned, it'll be -- well, I can
8 do it whenever, I'm just waiting for you to tell me.

9
10 MR. COLLINS: It might be the most expeditious if David
11 drafts the letter, sends us the draft and we could write
12 comments or corrections, and then he could take those and
13 compile that, and then send out a final for our review, and
14 then send it back in. If there's no additional changes -- if
15 it might be time consuming but it'd probably get done before our
16 next -- in a pretty short period of time compared to next
17 February at the next meeting. And then, your final, if you
18 could sign it

19
20 MR. HUNTINGTON: Um-hum.

21
22 MR. COLLINS: when you send it in to them as the
23 Chairman. Would that

24
25 MR. HUNTINGTON: That sounds like a good suggestion
26 here, you know.

27
28 MR. REAKOFF: That way, this would happen long before
29 the next meeting. It would be nice, since we're talking about
30 navigable waters, if we could get -- you know, I don't -- I'm
31 not sure about all of the legalities of the navigable waters,
32 but if we could get the Federal Board to recognize that there's
33 a problem harvesting game on these navigable water systems in
34 this same letter, you know. Yeah, the fish are one problem but
35 also shooting a moose on the -- in the willows on the side of
36 the river also falls under State land navigable waters, and
37 that's a subsistence issue also. And whether the Federal Board
38 can do something about it or not, I don't know, but maybe we
39 should point that out. Maybe they don't fully realize that
40 that's a pretty big problem for a lot of the subsistence users
41 in the high flood plain areas, like the lower parts of some of
42 these drainages. Well, it would be anywhere on a river, but
43 especially in these high flood plain areas.

44
45 MR. HUNTINGTON: It sounds like that could be used as
46 supporting evidence, you know.

47
48 MR. REAKOFF: Um-hum. And I'm not sure how David would

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craft that into this letter.

1

2 MR. HUNTINGTON: Well, I think if we did get federal
3 jurisdiction over navigable waters, then we wouldn't have the
4 problem shooting -- worrying about game above the high water
5 mark. It seems like it's pretty simple.

6

7 MR. REAKOFF: Um-hum. Well, it would be nice.

8

9 UNIDENTIFIED VOICE: Even I can handle that.

10

11 MR. REAKOFF: It would be nice to point that out.

12

13 MR. HUNTINGTON: Uh-huh.

14

15 MR. REAKOFF: That there's a problem there.

16

17 MR. COLLINS: Except the two are -- the State would
18 still own the land under the river, and as soon as the water
19 left the sandbar, that's State land; that's the problem. I
20 guess if the moose would be standing in the water then it would
21 (ph) be above the high water mark maybe. But there's -- yeah,
22 there's still -- it gets pretty tricky. I guess one thing that
23 the Board could do would be to make sure that they spell out
24 what is mean high water. I mean say something to the hunters
25 that they know what to look for or something. I mean,
26 people are confused about where they can and can't shoot a
27 moose, what does that mean, you know. I don't know if you can
28 define that, but if you can, try to say something about it in
29 the Regs so people are even aware of

30

31 MR. SIMON: Excuse me, I'd like to -- Mr. Chairman, I'd
32 like I have to point out one thing. It seems like we're lost
33 (ph) in just hunting, moose hunting and stuff like that and
34 high water mark. But as far as everyone of us there, which we
35 live on the river, we should know, in fact the (ph) high water
36 mark and stuff like that. As far as I'm concerned, that
37 whatever you live or whatever you do, there's a lot of peoples
38 doesn't know where's the high water mark, and a lot of people
39 does (ph).

40

41 MR. COLLINS: Right.

42

43 MR. SIMON: And in other words, like for here in
44 McGrath, I've never been here. It's the first time I've been
45 here -- I've been here before but just the airport, kind of low
46 water around here (ph). Where is the high water mark around
47 here? I don't even know if this place gets flooded.

48

49

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1 MR. COLLINS: Yeah. It depends on what mean high water
2 is and I'm not sure what it is.

3 MR. SIMON: Yeah (indiscernible - interrupted).
4

5 MR. COLLINS: Floods -- this floods right here. We had
6 water (indiscernible - simultaneous speech)

7
8 MR. SIMON: Yeah (indiscernible - simultaneous speech)
9 springtime.

10
11 MR. COLLINS: Right.

12
13 MR. SIMON: Flash flood (ph).
14

15 MR. COLLINS: There'll be water in here.
16

17 MR. SIMON: Yeah. So you can't even go by that because
18 depends what time of year and

19
20 MR. COLLINS: Right.

21
22 MR. SIMON: and time you're hunting. Mostly,
23 we're talking about hunting moose, like right now, and you have
24 the water rise (indiscernible)

25
26 MR. COLLINS: Right.

27
28 MR. SIMON: it's their nature (ph).
29

30 MR. COLLINS: But I don't think mean high is the flood
31 it? What is the definition for mean high? It's not the
32 flood, it's some other high, isn't it the normal high or
33 normal

34
35 MR. YOKEL: Average.

36
37 UNIDENTIFIED VOICE: Average.
38

39 MR. KNAUER: Mean high is the average high water. It's
40 not flooded high.

41
42 MR. COLLINS: It's between the highest and the lowest
43 then, the average between the highest and lowest?

44
45 MR. JAMES: It would be between the highest and lowest.
46

47 UNIDENTIFIED VOICE: The average high mark.
48

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MR. JAMES: The average is not always at mid-point, I guess is the contrast (ph).

MR. COLLINS: Right.

MR. SIMON: Am I understanding that -- I might misunderstand but if you got a flat (ph) down here (indiscernible) or something like that, do you think it would be a flood (ph). So people that make these law right now in the federal and down the state in Washington or something like that, you're behind a dam. In other words, (indiscernible) a beaver dam or

MR. COLLINS: Right.

MR. SIMON: a waterfall or something like that. It's not manmade, it's just nature, you know.

MR. COLLINS: Right.

MR. SIMON: You guys are talking about two different things, high water mark and low water mark. Nobody knows what's going on.

MR. HUNTINGTON: Well, maybe until we get a real definition of what a high water mark is, maybe we should just kind of let the issue -- kind of leave it alone, I guess for now.

MR. COLLINS: Well, I guess what we would be doing at some point here is pointing out that that -- to the Federal Board that that's a concern.

MR. HUNTINGTON: Um-hum. In the same letter?

MR. COLLINS: I don't know if it's in that, maybe it's not appropriate in the letter.

MR. HUNTINGTON: Yeah.

MR. COLLINS: Although, what Jack -- you were suggesting that somehow that how be mentioned in the letter, and

MR. REAKOFF: I don't know, maybe it's not appropriate right now, maybe in a separate

MR. COLLINS: We could list it as one of our concerns. We were identifying concerns, we could list it as one of

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those.

1

2 MR. HUNTINGTON: Yeah. Um-hum. I think that would be
3 a good supporting evidence. So maybe when you draft the
4 letter, you can use that as some of the supporting facts, the
5 high water mark. Did I state that correctly?

6

7 COURT REPORTER: Please speak up.

8

9 MR. JAMES: I might need some more help on that one. I
10 guess -- I want to make sure I understand what your intention's
11 here. I think there's confusion now, or uncertainty, about
12 whether management authority over navigable waters, while that
13 works for fish may not work for land animals. Is -- that's
14 okay (ph). Because even though you might get management
15 authority over fish through the middle of a refuge, for
16 instance, you may still not be on solid ground, no matter what the
17 water level is, because that still belongs to the State.

18

19 I'm so totally confused now, I -- you know, I've got to
20 get that straight before -- if I try to address that in a
21 letter, I'm going to have to make sure I have it just right.
22 There's some confusion in my mind what exactly you want by
23 including -- I'm okay up to the point of where we were before
24 the notion of the problems that high -- that the navigable
25 waters create for the hunting of wildlife. I was okay up to
26 the point of fisheries. So

27

28 MR. REAKOFF: Maybe we better just exclude that whole
29 subject and deal with it as a separate issue.

30

31 MR. HUNTINGTON: And I think we should

32

33 MR. REAKOFF: If we're dealing with fish in the water,
34 and the Feds can deal with that, but they can't deal with the
35 land under the water, to the mean high water mark, then maybe
36 we ought to just stick with the water and wait for the courts
37 or somebody to decide what this -- what's going to happen with
38 the State land thing and the mean high water mark. But it is a
39 problem that the Board, I feel, should know about, but maybe we
40 shouldn't (ph) tell them about it this spring.

41

42 MR. HUNTINGTON: I have a question in the back.

43

44 MR. YOKEL: I may be off base but it seems to me that
45 you mention management of subsistence resources in navigable
46 waters, you include fish, moose, trees, whatever's growing
47 there; I mean, whether it's underwater at the time or not.
48 State land is defined by mean high water in navigable waters

49

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but you're talking about the subsistence resources that are there, and it doesn't matter if they're above water at the time (indiscernible).

3

4 MR. REAKOFF: But that might be an appropriate wording
5s to utilize subsistence resources in navigable waters, and
6then that will include terrestrial and aquatic resources.
We'll be -- kind of be alluding to both. So using subsistence
8resources in navigable waters might be a correct term.

9

10 MR. SIMON: Mr. Chairman, I want to clarify this. You
11 go fishing down (indiscernible) on Bristol Bay, you're at
12 Wiseman because (indiscernible) hike up there and fishing. You
13 don't fish up there, right?

14

15 MR. REAKOFF: On Wiseman?

16

17 MR. SIMON: Yeah.

18

19 MR. REAKOFF: There's not too many fish.

20

21 MR. SIMON: Well, you're talking fishing, navigation of
22 the water, right. But right now, you know, for your opinion,
23 cause you're in two different categories like (ph). You know
24 you go fishing down Bristol Bay, and you go up north and you
25 live up there year-round. And as far as this water right and
26 stuff like that, you don't get that much water up there, you're
27 in the mountains (indiscernible) Koyukuk River, right? You
28 know, you're a sheep hunter, caribou.

29

30 MR. REAKOFF: Yeah.

31

32 MR. SIMON: I think, you know, you're on Unit 21
33 almost, Anaktuvuk.

34

35 MR. REAKOFF: 24.

36

37 MR. SIMON: Well, it's up for (ph) 24 but then for a
38 lot of peoples there -- I know there's people down this way.
39 But we're talking about right now, you know, what's going on,
40 for your opinion, you know. You're in two different states
41 (ph) right now.

42

43 MR. REAKOFF: Well, what happens down river affects
44 where I'm at, 'cause there are salmon that come to where I
45 live, and those salmon die in the water, and their eggs and so
46 forth -- the grayling and things live from Nome (ph). You
47 know, so what happens down river even affects me way up there,
48 that's

49

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1 MR. SIMON: Well, you might see one king salmon out of
20,000 down river, 1 out 30,000.

3

4 MR. REAKOFF: Yeah, but I mean

5

6 MR. SIMON: I mean, you're new right (ph). But you
know, these people down there is now (ph) what you're talking
about, you know. But you're making this is -- that we're
talking about subsistence, yeah. With 30,000 (ph) down --
(Indiscernible) Kuskokwim or wherever you fish, you get 30,000
fish and you go up here you get one fish in one year. So
you're a long ways from the fish down here and up here. It
takes four years to go up the river or seven years, something
like that. (Indiscernible) fish before you now it or exact
those (indiscernible)

16

17 MR. REAKOFF: Um-hum.

18

19 MR. SIMON: to clarify that. I just want to make
a point of you (ph) that people don't understand what we're
talking about, you know. And you're on the highway
(Indiscernible) a moose, you know, (indiscernible) -- you can
go down the other way, fish down the other way maybe.

24

25 MR. HUNTINGTON: Well, maybe we should delete the high
water issue on this. It's something that's getting pretty
complicated here. I guess it's up to what the Board feels,
should we delete it or leave it in there or what?

29

30 MR. COLLINS: Mr. Chairman, I think under our topic
concerns, we should list it as a concern that we've identified
but maybe not get involved with a letter right now.

33

34 MR. HUNTINGTON: Okay, yeah. I think that's a good
idea there. It is a concern, so maybe we'll just list it as a
concern, after we get this letter here finalized as to what
we're going to do on it or include (ph).

38

39 Is it pretty clear now that

40

41 MR. JAMES: Yeah, I'm fine, I'm set. Thank you.

42

43 MR. HUNTINGTON: Okay. Well, we'll just -- I guess
it's pretty well unanimous that we draft a letter and have it
sent to the Board for review and to have the Board make any
changes and send it back to Dave, the coordinator here, and
draft up a final on it and send it back to us, huh?

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MR. JAMES: Right. That's what I'll do.

1
2 MR. HUNTINGTON: Okay. Okay. Well, I guess there's no
3 other questions on that. We'll move onto our more -- other
4 concerns. And one of the concerns here is the high water mark.
5 I guess we'll just state that is one of our concerns here and
6 we'll try to keep the meeting going. That is a concern and --
7 you know, well, as long as it's stated down, I guess it's --
8 we'll just -- we can keep going, I guess, huh?

9
10 MR. JAMES: Um-hum. Yeah. I maybe can clarify that,
11 that and the two or three other main concerns that have been
12 discussed here today. As I understand it, the Council wants to
13 make sure those are placed on the agenda for the next meeting,
14 that that my -- that's my understanding.

15
16 UNIDENTIFIED VOICE: Um-hum.

17
18 MR. JAMES: Okay. All right.

19
20 MR. HUNTINGTON: There's -- is there three issues so
21 far?

22
23 MR. JAMES: I lost count, but that sounds about right.

24
25 MR. HUNTINGTON: Three or four issues. Is there any
26 more concerns, regional concerns, issues that we should
27 identify for our next meeting?

28
29 MR. GRAHAM: Mr. Chairman.

30
31 MR. HUNTINGTON: Phil.

32
33 MR. GRAHAM: Yeah. I have a regional concern that I
34 want to make sure -- but I think it was explained to you people
35 yesterday, and to me also when I got here late, that -- and
36 that's around Lime Village. So up till now we've been -- well,
37 under the current regulations, the Village is allowed a quota
38 of 40 moose. And since the State has -- there used to be quite
39 a bit of federal land around Lime Village, and now the State
40 has selected some of that land, so there's not as much federal
41 lands. This is putting it in my own words. And so we should
42 I guess we're not going to be allowed the 40 moose on
43 federal land any more.

44
45 We're -- and talking to the biologist today, he says it
46 may be cut to 10. This is the first I'd heard about it. And I
47 think he's going to submit a proposal that will cut down our
48 Village moose quota from 40 maybe down to 10, and this is going
49

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to be a shock to Lime Village residents. And so I'm thinking that at our next meeting, if this propo- -- if he does submit this proposal, that we could discuss it, and I just wanted you all to be aware about this. And I'm going to spread the word in Lime when I get back.

5

6 MR. HUNTINGTON: Sharon.

7

8 MS. GUTLER-STRICK: Yes. I'd like to ask Phillip how many residents are there in Lime Village.

10

11 MR. GRAHAM: Forty-two.

12

13 MR. HUNTINGTON: We have a question back here.

14

15 MR. KOVACH: Mr. Chairman, if I might kind of elaborate a little bit on the Lime Village situation there. The Federal Board established a community bag limit of 40 moose about two or three years ago, I believe. And what has happened since the advent of State lands selections is that the land base that contains moose habitat has shrunk dramatically now.

21

22 And what Jeff Denton was trying to explain to Mr. Graham, I believe, is that there is so little moose habitat remaining on federal public lands in the vicinity of Lime Village that in order to maintain a healthy population of moose, which is one of our legal mandates, is that we only -- what Jeff's assessment of the situation is is that the habitat and the population that is supported by that habitat that is on federal public lands is a reasonable allotment of moose may only be 10 animals in

31

32 MR. GRAHAM: Yeah, that's what he said to me.

33

34 MR. KOVACH: Right. So it's not so much as like, you know, the moose population hasn't shrunk so much, it's just that the land base where there's federal public lands has shrunk so much that the number of moose is going to be shrinking down. But again, it all hinges back to this maintenance of healthy populations. If there is so little -- a few moose left on federal public lands that if you still allow a quota of 40 to come off of federal public lands, we would be then placed in a situation where we would no longer be ensuring a healthy population of moose on federal public lands. So that's where this shrinking number is coming from.

45

46 MR. COLLINS: Mr. Chairman, but I think you'd have to consider there that those moose don't know where the boundaries are. And if you took every moose off the federal land, if it's

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just a small one, a moose is going to move over the boundary if there's a lot of food there. So

2

3 MR. KOVACH: Right. Exactly.

4

5 MR. COLLINS: in setting the quota, you wouldn't
6 set it just based on what's left on federal land, I think you'd
7 have to look at adjacent land

8

9 MR. KOVACH: Well, yeah, exactly. As I explained to
10 you yesterday

11

12 MR. COLLINS: to some extent.

13

14 MR. KOVACH: what we do when we first look at a
15 population, we look at the whole population, irregardless of
16 where it's living.

17

18 MR. COLLINS: Yeah.

19

20 MR. KOVACH: You know, we don't care whose land it's
21 stepping on. And then we have to back off 'cause the law says
22 federal public lands, you have to maintain healthy
23 populations. So then, we look at how man- -- you know, how
24 much habitat is on federal public lands, what kind of a
25 population is that habitat supporting, things like that.

26

27 You know, if there is 60 moose on federal public lands
28 the average year-round, we could not biologically support a
29 harvest quota of 40, you know, two-thirds of that, because then
30 the remaining population using federal public lands would not
31 be considered a healthy population; irregardless of the other
32 things. It's just the way the law is written right now.

33

34 MR. HUNTINGTON: Sharon.

35

36 MS. GUTLER-STRICK: I have a question. You said the
37 federal public land base shrunk.

38

39 MR. KOVACH: Right.

40

41 MS. GUTLER-STRICK: So, therefore, when we were talking
42 about 40 moose, we were talking about 40 moose that used to
43 reside on federal land but then federal land was taken away and
44 possessed, okay. So -- but the moose are

45

46 MR. KOVACH: I like that word.

47

48 MS. GUTLER-STRICK: But then we have -- so what you're

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saying is from the federal lands that are now -- from the lands that are now designated as federal lands, 10 moose can be taken, but they could still get 30 moose from the remaining lands?

4

5 MR. KOVACH: Not under the Federal Regulations.

6

7 MR. GRAHAM: No.

8

9 MR. KOVACH: No.

10

11 MR. GRAHAM: Unh-unh.

12

13 MR. KOVACH: Under the Federal Regulations, that's one of the things that Jeff is still working on; he's still trying to figure out what is the maximum allowable number of moose that can be taken from federal public lands and not jeopardize the health of the average number of moose utilizing those lands. I wish Roger were still here as I don't recall the State Regulations for the Lime Village area. Didn't they go to a registration tag or something a lot like that or

21

22 MR. GRAHAM: It's a Tier II.

23

24 MR. KOVACH: Tier II tag.

25

26 UNIDENTIFIED VOICE: Tier II.

27

28 MR. GRAHAM: Twenty-eight moose. Well, you know, there's 14 Tier II hunters, I think 12 of them from Lime,

30

31 MR. KOVACH: Um-hum.

32

33 MR. GRAHAM: are allowed two moose each.

34

35 MR. KOVACH: Okay. You're right. So 28. And then if Jeff determines it's 10, that gives you 38, so that's down two moose from the old level of 40 is what that would be. But that's -- I just wanted to kind of try and clarify this issue a little bit for the Council because it's a real complicated issue. State land selections or reposessions or however you want to call it is making our lives difficult in trying to figure all this stuff out and whatnot.

43

44 MR. JAMES: I think maybe from what I'm hearing here, maybe some of the Council Members want some clarification. I think what they're looking for is assurance that it's not just a cut and dried formula; that if the land base shrinks by, you know, 50%, therefore your quota automatically shrinks by 50%.

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I think most biological analyses are much more inclusive, they include other considerations. Like -- and you were alluding that, too, Ray.

3
4 MR. COLLINS: Yeah.

5
6 MR. KOVACH: Right.

7
8 MR. JAMES: You know, it's not just strictly a numbers game.

10
11 MR. KOVACH: Exactly.

12
13 MR. JAMES: They try to incorporate all of the

14
15 MR. KOVACH: Right. 'Cause what we're looking at is we're looking at what habitat is remaining on federal public lands, what's the quality of that habitat, what's the density of moose in that habitat; you know, there's just -- you know, there's a lot of variables going into that. That's one of the reasons why BLM is spending a tremendous amount of time stratifying that area trying to get an accurate picture of what the current moose densities are and things like that, to try and determine what the appropriate value is for moose. And that.....

25
26 MR. COLLINS: I guess if I were suggesting you took 15 moose out of the 60, you might come back the next year and find you still have 60 moose,

29
30 MR. KOVACH: Exactly.

31
32 MR. COLLINS: if it's a healthy population on adjacent lands, 'cause they'll

34
35 MR. KOVACH: Right. Because of the dynamics of animals

37
38 MR. COLLINS: Right.

39
40 MR. KOVACH: and they don't care where the line is going across the tundra or through the willows or whatever. Exactly. It's just -- but until we learn more about how moose specifically use a parcel of land -- and again, this is where Mr. Graham and people in Lime Village could help us out tremendously is if they can help us in telling us how they move seasonally through the areas and things like that, if they do. Some moose do, some moose don't. That can help us out a lot, too, in trying to figure out the best allocation of the

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resource base out there.

1

2 MR. GRAHAM: Yeah. What -- you call it poor moose
habitat, maybe it is, but people in Lime don't see a shortage
of moose in that area.

5

6 MR. KOVACH: Right. Poor is a relative term. Poor in
relation to what, you know.

8

9 MR. GRAHAM: Uh-huh.

10

11 MR. KOVACH: You know, and in comparison to the Koyukuk
River and Three Day Slough, it may be really lousy in
comparison to that, you know, but that's one of the highest
densities of moose that are found in the State, too. So you
know, poor and moderate and high are all relative terms and
whatnot. So that's why we try and avoid those terms and try
and use numbers, if at all possible; you know, numbers of moose
per square mile or whatever it may be.

19

20 Anything else that I can help with?

21

22 MR. SIMON: Yeah, I got a question for you.

23

24 MR. KOVACH: Yes.

25

26 MR. SIMON: Talking about this -- now, you're talking
about 40 moose or something like that for two moose a year,
right?

29

30 MR. GRAHAM: The Federal Regulations allowed the
village 40 moose total.

32

33 MR. SIMON: For 12 peoples?

34

35 MR. GRAHAM: For 40 people.

36

37 MR. SIMON: Okay. But anyway, talk about Three Day
Slough and Koyukuk River, you might have 2 or 300 moose but you
got 4 or 500 people. Population between Koyukuk, Huslia,
(undiscernible), Allakaket there might be a thousand people,
you know. The people come around there and go hunting and
stuff like that, there's another thousand, you know. We don't
get the reports of what's going on. There's a lot of moose
around there, but in a few years, it'll be like up around Ruby
(ph) usually hardly any moose or around Fairbanks, Minto, you
see a lot of moose, you know. So you can't have
(undiscernible) moose right today, it's -- no matter what you
get. Believe me (ph) it's kind of wrong to do, we've got a lot

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of moose. And somebody will say that was -- you hear it from
 1 somebody at the meeting well, okay, Huslia's got all the moose.
 2 Well, why don't we go there and get moose or (indiscernible).
 3 It'd be kind of wrong for us to say something like that, you
 4 know. Everybody know what's going on, no matter where you
 5 live, you know.

6

7 So I don't know. I don't know how many moose have been
 8 killed as of right now on the Koyukuk River alone all the way
 9 up to the east, there's Wiseman, Haul Road. You're speaking of
 10 your little village there, and you can't see that you're short
 11 of moose until the time in the future when your kids or your
 12 grandchildren or whatever, you'll be out of moose.

13

14 MR. GRAHAM: Well, that's -- they're not out of moose
 15 yet. I mean, it doesn't seem like there has been a drop in the
 16 number of moose. It seems people in Lime say that there has
 17 been an increase in the number of moose.

18

19 MR. SIMON: Well, that's good.

20

21 MR. HUNTINGTON: Any more questions? I think we'll
 22 have that as one of our concerns for regional issues, put it on
 23 our agenda for next meeting.

24

25 MR. JAMES: Um-hum.

26

27 MR. HUNTINGTON: Well, is there any more regional
 28 concerns, issues for the next meeting, before we get into the
 29 rest of the agenda here. We've got -- I think we're supposed
 30 to have dinner in about 20 minutes. Then, I guess we got at
 31 least a half hour of business right here to take care of before
 32 recess till 7:00. And then at 7:00 we have public comment.

33

34 MR. JAMES: Yes. If anybody shows up

35

36 MR. HUNTINGTON: If anybody shows up. We'll have
 37

38

39 MR. JAMES: and wishes to give testimony.

40

41 MR. HUNTINGTON: We'll have to come back for --
 42 convene at 7:00. So hearing no other issues for the next
 43 meeting, I guess we can go on with our agenda here, and that's
 44 development of Regulations, Proposals. And I guess Dave James
 45 has some information on that.

46

47 MR. JAMES: Section 5 in your binders has two things.
 48 The larger document is the proposed rule that's already been

49

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mentioned, okay. The sheet that's just ahead of it is a summary sheet. Now, the proposed rule itself, as you may recall from our discussion yesterday, is for the most part the existing regulations; the ones that are in effect right now for wildlife. Okay. So that's the basis for the proposed regulations which will go into effect next year.

6

Okay. Now, there are a few minor changes to it, and some not so minor but pretty straightforward. And that's what this summary sheet tells you. It just tells you what's different in this proposed rule than what is existing in this right now, you know; that's what it's all about. And it's my understanding that most of these changes are fairly minor, and they of a housekeeping nature; you know, to clean up a few things, make it more understandable and that sort of thing.

15

But what we could do is quickly go through them, if you desire, and we'll get a few comments here. Bill has some knowledge of some of them and Steve can help us, too. And I really -- I don't anticipate that this will generate a lot of discussion at this point, but you know, we can go ahead and get started, if you like.

22

Okay. The first is deletion of the definition/classification for fur animal. And Steve, could you maybe help us out with that one, just a sentence or two probably would suffice?

27

MR. KOVACH: Basically, what it is is there's a group of fur bearers that have a dual classification of big game as well as fur bearer. And what we're trying to do is clean up the regulations and eliminate that dual classification. So either you take -- you have a hunting license and you can take these critters -- this list of critters, or you have a trapping license and you can take this list of critters. We're just trying to clean up the regulations and eliminate a category that caused a lot of confusion and so on.

37

I believe the animals with dual status were wolf and wolverine. I think there was a third one but I don't remember all of a sudden. But the wolf and wolverine, in particular, were two of our problem species, because there was specific hunting for wolves and wolverines as well as very specific trapping things for them. There is -- you can take foxes and lynx and things like that with a hunting license, but there was this special category that the State has that was causing a lot of problems for us.

47

MR. KNAUER: Yeah.

49

50

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1 UNIDENTIFIED VOICE: Excuse me.

2

3 MR. KNAUER: This category of fur animal under the
State program said that you could take those fur species, they
used the term fur animal, when you were taking those species
with a hunting license. They used the term fur bearer when you
were taking those same species with a fur trapping license.
The seasons and the bag limits and the species and the methods
have not changed in here, we have just said that these are the
differences, here are the same seasons if you take them with a
hunting license and here are the seasons if you take them with
a trapping license. So we've just removed the confusion of the
terminology.

14

15 MR. KOVACH: Um-hum. This kind of falls along with --
16 you remember, with last year there was a proposal before the
Board to eliminate the terms big game, small game, things like
this. This was kind of a follow onto (ph) those changes
adopted by the Board. In the regulations, we no longer refer
20 animal groupings as big game animals or small game animals
21 things like that.

22

23 MR. SIMON: Yeah. I got a question. You just said
something about license, hunting and trapping license, they're
the same thing aren't -- or last year was saying (ph) we get
the hunting li- -- trapping license in September and the
hunting license after January. So you are saying that they're
good after January of 1994, get a new one, then you could (ph)
trapping license in September and it's good till '94 in
September. And you are saying that the same license is good
for year-round?

32

33 MR. JAMES: I don't think this regulation will change
the licensing requirement.

35

36 MR. KNAUER: It doesn't change anything relative to the
licenses.

38

39 MR. JAMES: The license stays the same.

40

41 MR. SIMON: Yeah. But what I'm getting at is I've got
no license, hunting and trapping from January, '94 or
September, like right now, till next year for trapping. Well,
who's trapping in the summertime? Nobody's trapping. I think
it's backwards. As far as hunting, you should have hunting
from like say November to April, then the trapping from -- you
know, hunting, you know, you

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1 MR. JAMES: I hear you. I've heard that

2 MR. SIMON: (indiscernible) backwards, you know.

3

4 MR. JAMES: over the years over and over and
5 over, see. But that's -- for what's going on here, that -- I'm
6 sure you understand that's a separate issue,

7

8 MR. SIMON: Yeah.

9

10 MR. JAMES: you know, from this. And but this
11 doesn't make any of that different, you know, that stays the
12 same even if it doesn't make sense, I guess is what I was
13 trying to say.

14

15 MR. SIMON: Yeah, that's what I'm saying.

16

17 MR. JAMES: Yeah.

18

19 MR. SIMON: But you pay \$40.00 for a license right now.
20 If you make so much -- you know, I work year-round so I make
21 so much money. And where it used to be \$.25 for a license for
22 disabled, I was (ph) in the hospital last year. I spent
23 \$8,000.00 in the hospital, and I don't get \$.25 license. I
24 mean that would interfere with -- you know, that's my business,
25 you know. I don't know. Things like that should be understood
26 among us, you know, we're people that under- -- don't
27 understand what the regulations are.

28

29 MR. HUNTINGTON: Thank you, Frank.

30

31 MR. SIMON: Yeah.

32

33 MR. HUNTINGTON: Okay. Well, is there any more on this
34 for animal

35

36 MR. KOVACH: I hope not.

37

38 MR. HUNTINGTON: classification? I think it's
39 pretty well understood. And the next one on the list is

40

41 MR. JAMES: New definitions of designated hunter,
42 harvestment (ph) and hunting marmot, ram and trapping. It's my
43 understanding that this -- these don't change any regulations.

44

45 MR. KNAUER: That is true.

46

47 MR. JAMES: That basically -- maybe you could elaborate
48 when?

49

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1 MR. KNAUER: That is correct. No regulations are
2 changed. It was just determined that we didn't have a
3 definition in here, and some people felt we needed a definition
4 for clarification. So these new definitions have been added,
5 but like I said, there have been no regulatory changes in that
6 regard.

7
8 MR. COLLINS: Where are the definitions, though? I
9 wouldn't want to support that without seeing the definition
10 because maybe we don't agree with the definitions.

11
12 MR. KNAUER: The definitions would be found on --
13 starting on Page 46680, and they run through about midway on
14 4681.

15
16 MR. COLLINS: That's in the Federal Register?

17
18 MR. KNAUER: And this is in the Federal Register but
19 it's --

20
21 UNIDENTIFIED VOICE: 46680.

22
23 MR. KNAUER: it is the Federal Register that is
24 dated September 2, 1993.

25
26 MR. COLLINS: I see, we got two.

27
28 (Side conversations, simultaneous speech)

29
30 (Off record)

31
32 (On record)

33
34 MR. JAMES: The proposals that are -- the changes that
35 we're talking about right now, you know, you do have the
36 opportunity of the February meeting to still make comment on
37 them, too.

38
39 MR. COLLINS: Okay.

40
41 MR. JAMES: You know, so it's -- the deadline is not
42 for this meeting.

43
44 MR. COLLINS: Okay.

45
46 MR. KNAUER: Go on? Okay. The next section is the
47 deletion of fish and shellfish taking regulations. David has
48 mentioned that before. That is a result of the splitting of

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the regulations, instead of having just one that addresses fish and shellfish and wildlife, they have taken out the fish and shellfish and put it on a calendar -- are intending to put it on a calendar year cycle, January 1 to December 31, because it doesn't make sense to change those regulations in the middle of a fishing season. So that's what that is. That's why this one that you're looking at only addresses wildlife.

7
8 The next two modified methods and means restrictions associated with the taking of wildlife by hunting and trapping and modified unit tables is just a rearrangement and clarification of the regulations that exist. It does not change any that were in place before, but it rearranges them in format hopefully to make it a little clearer to the user.

14
15 The next one is an addition. It says: Restriction on the use of hooks to take wildlife. And that relates -- that is in trapping and there was concern that hooks or baited hooks would be used to take, for example, wolves or wolverine, and there was concern that this would be a rather wasteful and non-discriminatory method of taking wildlife.

21
22 The next one, it says: Deletion of same day airborne regulations for taking of fur bearers. That is a little bit of miswording because, although, it deletes some of the regulation, what it does, it actually deletes some of the opportunity for same day airborne. It makes it more -- it makes the same day airborne situation more restrictive. And this is intended to protect certain species that would be subject to harassment and over-harvest through the use of airplanes and is viewed as being more protective of the subsistence resource.

32
33 MR. COLLINS: Which specie- -- wolf, I assume, is one of those, is there others? How does that affect somebody flying out to a trap line checking his traps, that means that he can't take certain ones out of there if he's been in the air that day or

38
39 UNIDENTIFIED VOICE: Only the person hunting.

40
41 MR. KNAUER: Yeah. I believe it only refers to hunt, not to the trapping situation.

43
44 MS. GUTLER-STRICK: I thought fur bearers meant hunt -- meant trapping.

46
47 UNIDENTIFIED VOICE: Yeah, it says certain fur bearers.

48
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MR. KNAUER: Under the State program it does, but
remem- -- but under ours, everything that -- all the furred
critters will

3

MS. GUTLER-STRICK: So you won't (ph) change it to fur
bearers?

6

MR. KNAUER: We will not be referring to fur animals
and fur bearers, just fur bearers, I think, right?

9

MR. KOVACH: Didn't we eliminate the term fur bearer as
well (indiscernible - away from microphone)

12

MR. KNAUER: No, we didn't. No, we did not. We left
the term fur bearer in.

15

UNIDENTIFIED VOICE: Fur bearer includes all

17

MR. KNAUER: Yeah. Fur bearer includes beaver, coyote,
arctic fox, red fox, lynx, martin, mink, weasel, muskrat, river
otter, red squirrel, flying squirrel, ground squirrel, marmot,
wolf or wolverine.

22

MS. GUTLER-STRICK: So in trapping, you would call them
fur bearers or you're going to call them fur bearers whether
you hunt them or trap them?

26

MR. KNAUER: Those animals that I just mentioned,

28

MS. GUTLER-STRICK: Okay.

30

MR. KNAUER: we'll call them fur bearers no
matter what method is being -- is used to take them.

33

MR. SIMON: What do you mean by -- you know, I see a
lot of guys hunting with airplanes and stuff like that, but
until you -- I got one (ph) (indiscernible). I was born and
raised out in camp. I'm a trapper. And nowadays, you got snow
machines, you got airplanes, you got competition. Where you
used to make a living out on a trap line, you'll be lucky if
you pay for the gas to go out that weekend or something like
that. And fur bearers, as far as I'm concerned, you got only a
certain place where your forefathers and people been living all
these years, centuries, price is low and takes are high and
stuff like that. But there's people be landing here and kill
the wolf or wolverine. But you have the jurisdiction over
that, as far as the fur bearers are concerned, you know. I
just know you don't count (ph) ducks in September or November,
stuff like that.

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1 MR. KNAUER: I'm not sure I understood what you were
2 saying.

3
4 MR. SIMON: Yeah. You know, I'm a trapper but it
5 doesn't sound right to me when you say you can do this and
6 that, it shouldn't (ph) be airborne and stuff like that. But
7 just some of these people got airplanes and maybe I walk for 14
8 hours and they'd be there in five minutes.

9
10 MR. KNAUER: What we're saying is this is removing some
11 of the opportunity to use an airplane.

12
13 MR. SIMON: If I had an airplane, you know, I'd rather
14 go with the airplane than walk, or snow machine.

15
16 MR. KNAUER: Well, this Council will have the
17 opportunity to comment on that in their February meeting and
18 enter into discussion.

19
20 The last one there is, again, a wording change,
21 wherever it was appropriate before for bull moose, it now talks
22 about antlered bull. It is just a change in wording again in
23 the regulations.

24
25 MS. GUTLER-STRICK: Do they say in any of these changes
26 the reasons why, have they made justification?

27
28 MR. KNAUER: If you read, there is a little bit in the
29 preamble on Page 46678, I'll let you read it yourself. You
30 will see in the middle column there are those -- essentially,
31 the dots that I have just gone through, and then about the
32 following two or three paragraphs, it talks about some of the
33 reasons why these were done. And I'll let you read those on
34 your own because we are running a little short on time right
35 now.

36
37 MR. HUNTINGTON: Dave.

38
39 MR. JAMES: A question for Steve. Other proposals, by
40 the time the -- at some point later on in the process, there
41 will be an analysis of those proposals weighed (ph) in the
42 justification form. Can we expect the same for these changes,
43 later will there be an explanation? So what is in the summary
44 at the beginning of this, essentially, is it?

45
46 MR. KOVACH: Right.

47
48 MR. JAMES: Okay.

49
50

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1 MR. KNAUER: I can clarify that by the fact that
 2 normally the proposals that received analysis are those that
 3 are substantial proposals. If they are mainly of an
 4 administrative or wording clarification nature, they do not go
 5 through an analysis process, but they are identified as such,
 6 and that's primarily what you have here.

7

8 MR. REAKOFF: This antlered bull that's to alleviate
 9 the taking of calves, bull calves?

10

11 MR. KOVACH: The antlered bull change was a point for
 12 clarification. There was some certain hunts, and I don't
 13 remember if any of them were within this region or not, but
 14 there were certain hunts that there was a separate -- there was
 15 you can take any moose during this period but only -- and this
 16 previous period you could only take a bull moose, and there was
 17 a lot of confusion. So to try and clarify the confusion of all
 18 those hunts that occur basically prior to the middle of
 19 December, we changed the definitions to antlered moose and
 20 antlerless moose. Right -- you know, we kind of recognized it
 21 varies from area to area within the state, but generally the
 22 middle of December is when most of the antler drop from moose
 23 occurs. And so we just kind of -- we looked at a lot of those
 24 regulations and tried to clean them all up 'cause there was
 25 some hunts that said antlered moose, some hunts that said bull
 26 moose, and so we're just trying to get the wording consistent
 27 throughout the state is what we're trying to do is all with
 28 that (ph).

29

30 If the hunts were limited to bull moose after the
 31 middle of December, we left it at bull moose, recognizing the
 32 fact that most experienced hunters can tell a bull moose even
 33 though he doesn't have the antlers on top of his head, even if
 34 he's out there in February type of a thing.

35

36 MR. SIMON: Yeah. Excuse me. Speaking of bull moose,
 37 you know, that we kill (ph), in my lifetime I see a couple
 38 moose that looks like a cow but I shot one (ph), you know, so
 39 you can't tell by the antlers or, you know, there's all kinds
 40 of moose out there; some white ones and stuff like that.
 41 Right. So speaking about (ph) antlers and stuff like that,
 42 (indiscernible) nature. You could go up to about a eight year
 43 old moose and got just a horn (ph) and it's a cow or something
 44 like that, you know. But when you shoot them moving (ph) -- I
 45 shot (ph) a couple like that.

46

47 MR. KOVACH: Yeah. That is a rare thing that does
 48 occur.

49

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1 MR. SIMON: Like right now, at home, there's a couple
of white moose.

3

4 MR. KOVACH: Um-hum.

5

6 MR. SIMON: You don't kill them just because they're
white.

8

9 MR. KOVACH: Some people might.

10

11 MR. HUNTINGTON: Okay. I guess we pretty well went
over the proposed changes. And we had one more item on our
agenda, but since it's pretty close to dinner time, what's the
Board want to do on this, did you want to go over the annual
report now or 7:00 o'clock or the next meeting or what?

16

17 (Side comments)

18

19 MR. HUNTINGTON: I guess we should go ahead and recess
then. We can maybe reconvene at 7:00. So I call for a one
hour recess.

22

23 (Off record)

24

25 (On record)

26

27 MR. HUNTINGTON: I call the meeting back to order. And
the next thing we have on our agenda is public comment. The
floor is open for discussion.

30

31 MR. SIMON: I got a question here. Public comment
means here in Bethel (ph) or -- here in Bethel or anyplace,
where will it come from (ph)?

34

35 MR. HUNTINGTON: Public comment would come from anybody
that wishes to testify or comment on the meeting. Anybody can.

37

38 MR. COLLINS: Anybody that's at the meeting. Anybody
can come in. It's open to the public right now.

40

41 MR. SIMON: Yeah. In other words, public comment, I
would like to know what happens when we get stranded. And I
get comments from these people here that live here and people,
you know, got places to go and things like that. It might be
5m (ph) weather tomorrow or it might be good weather. It's
public comments and things like that, if you (ph) be able to
find out for yourself if people are guaranteed (ph) to go home
or something -- anybody.

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1 MR. JAMES: Are you asking about people that from out
of town?

3

4 MR. SIMON: Yeah.

5

6 MR. JAMES: Because of travel here?

7

8 MR. SIMON: Right.

9

10 MR. JAMES: They also have the opportunity to provide
written comments, I believe, to this process. So, you know,
that some people prefer not to give public testimony, but they
can always provide -- you know, give written testimony or
comments on any subject. Does that really answer what you were
asking about.

16

17 MR. SIMON: No.

18

19 MR. JAMES: Sorry, try me

20

21 MR. SIMON: You didn't (ph) answer my question. We pay
out of our pockets and these people here (indiscernible) here
tonight or here this afternoon after 5:00 o'clock. We are here
and they say (ph) public comments, that public comes from
Grath here or anyplace. You guys are guaranteed for us to be
here and to say anything we want.

27

28 MR. JAMES: For the public comments you mean?

29

30 MR. SIMON: Yeah.

31

32 MR. JAMES: Well, it has to do with any issue related
to subsistence use, you know, on the federal lands.

34

35 MR. SIMON: Yeah.

36

37 MR. JAMES: And that is a real broad, broad category.

38

39 MR. SIMON: Right. They got -- I know there's three
(ph) -- clarify myself on that. Federal lands or state lands
that on Unit 24 and 23 -- or 21, that -- and you'll get
clarified (ph) that I got nothing to bring home after this
meeting. I got to go to the meeting, I have to miss our own
Village Council. I bring up something that for which I'm done
here for, not (ph) somebody in Unit 21 or 24 there (ph). You
never clarified to me that (indiscernible) border line or
anything. You got that up in the air for next year or next
meeting.

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1 MR. JAMES: That's a good point. But -- and as I
 2 understand it, Franklin, you know, there are no clear answers
 3 to those questions -- those situations; it's a dilemma, it
 4 really is. And it does put hunters at risk.

5
 6 MR. SIMON: Or do you speak -- I'm speaking for my
 7 peoples, people that are from out of the state, Lower 48 or
 8 anyplace, 'cause you got no sign there that doesn't say that if
 9 you go over here, you got a sign on this building (ph). You --
 10 if you don't know where you're going, you just can't walk it,
 11 you got to ask somebody. But just clarify that deal (ph), you
 12 know. You should have right as a Board Member here, each one
 13 of us. We got to understand that we are dealing with federal,
 14 you know. In fact, I asked earlier what -- then if you keep
 15 state (ph). But we're not clear -- I'm not clear federal (ph),
 16 can't guarantee nothing. It's just up in the air for next
 17 meeting and stuff like that. You can't guarantee nothing
 18 cause you're working under somebody, somebody is over you and
 19 keeps that check (ph). It's up to the majority of the village
 20 where you come from and whatever you want, you know, it's your
 21 opinion.

22
 23 I just can't go home and say now we got everything.
 24 Somebody will come up to me and say well, I can do this. I
 25 can't do that.

26
 27 MR. JAMES: Do you -- you do remember -- I mean this
 28 doesn't answer all your questions. But earlier, when you were
 29 talking to Roger Seavoy,

30
 31 MR. SIMON: Right.

32
 33 MR. JAMES: the Fish & Game -- the State Fish &
 34 Game biologist, he did say, as I recall, that for that one
 35 problem that you were talking about, the boundary between
 36 Unit 24 and 21, that he told us it was merely standard
 37 procedure to post a sign. I mean, it's been done before,
 38 there's no reason why it couldn't be done in that situation.
 39 But I realize that doesn't answer the high -- the mean high
 40 water question. I mean, you know, I don't know what to tell
 41 you. You know, what you say, it's true, it's a dilemma because
 42 there is no clear-cut solution to it right now.

43
 44 MR. SIMON: In other words, if somebody asks me and I
 45 say it's not like cooking eggs or something, if the eggs are
 46 not done, you throw it away; same thing, right?

47
 48 MR. JAMES: Well, I don't know if I'd compare high

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water to eggs, but I think I get your point.

1
2 MR. SIMON: I mean, you know, what I'm getting at, you
know.

4
5 MR. JAMES: Yes.

6
7 MR. SIMON: Yeah.

8
9 MR. JAMES: Yeah.

10
11 MR. JAMES: What if they ask you and your buddy over
there, right? You guys clarify (indiscernible). Whereas (ph)
my word is no (ph) good to my people at home.

14
15 MR. JAMES: Well, I guess it's like a lot of things in
life, you know, you don't always get all the clear-cut,
straightforward answers that we'd really like, that's just the
way it is. If you're asking for some follow-up, I'd be glad to
do that. I'll do the best I can to provide you more
information. For instance, I think one thing that you're
getting at is you want a definition of this mean high water
business, do I have that right?

23
24 MR. SIMON: No, you're wrong, 'cause I have no -- I
live on flat country, the mountain is 40 miles away and there's
the ocean right now. Right today, there's high water in
Uslia. From my (ph) you can see water, if you go to the
mountains, anywhere, I don't care where it is in the springtime
and no high water mark.

30
31 MR. HUNTINGTON: Bill.

32
33 MR. KNAUER: Excuse me. Mean high water does not mean
flood situations. You can disregard flood situations, that
does not enter in. Mean high water means the average high
water, excluding flood situations. So it would be the average
high water over a number of years, not counting unusual
situations like floods. So if you're -- you know, if the whole
area is flooded right now, that doesn't make any difference;
that does not make it state land.

41
42 But we can provide you with a little better definition.
We will talk to the Bureau of Land Management and get the
actual legal definition, and then we'll try and simplify it
so for you. But this whole program is brand new. The Feds
have only had it for three years. We are trying to stumble
through with your help.

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It's going to be very frustrating, some of these issues, but only working as a team with the local knowledge that you folks provide, the biological knowledge that Steve and the biologists from the other State and Federal agencies can provide, and some of the harvest information and cultural history that Taylor can obtain from the subsistence folks, only then can we work together as a team and try and make it better. And it has been and probably will continue to be frustrating for all those involved because it's real difficult to say yes, you're here or no, you're not here. It's going to be well, I don't know exactly where, and it's sort of like the eggs. And we just hope that you'll continue to have the enthusiasm that I've seen here and work with us.

13

14 MR. SIMON: Okay. This -- I'm still against the high water mark and things like that. Maybe you go to (ph) Huslia or go up to Wiseman or go down to Lime or someplace, each have a water mark but they're up in the air. If you live around there, it'd make a lot of difference to you. You'll be under water before you know it. Yeah. You never see hills like (ph) Huslia, you got roundabout (ph) and all this -- you know, we're on a flat country, but I'm speaking for the Village of Huslia, and Houston (ph) and Allakaket; they're up in the mountains. But I don't know where you come from, but I'll tell you one thing, is isn't right for -- to make -- for nine of us here to make some discussion for someplace that you don't live. You maybe live here or Anchorage or Juneau, I don't know. You're just going by the book. You fly over it maybe. 'Cause right now it's high water, and we don't know what next year -- it's going to be higher yet maybe. You go down to Michigan or someplace, the high water, you know, the same thing, you know, (indiscernible). You don't clarify. Well, that's (indiscernible) -- well, I'll go with you (ph).

33

34 MR. COLLINS: Mr. Chairman.

35

36 MR. HUNTINGTON: Ray.

37

38 MR. COLLINS: Franklin, if I hear what you're saying, I think you're concerned about using that high water mark as a definition. But the problem is we didn't set that definition, and we can't. It has to do with when the State -- or the Federal Government gave land to the State, they gave them all the water that's up to the mean high water mark. We even set that regulation, it's not something we can change. It's in -- is when title was passed to the State, that's what they used. And unfortunately, that separates state and federal land, and we can only set hunting regulations on the federal lands. So even if we wanted to change that, we can't. All we

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can do is try to clarify what that is so people -- so hunters would know where it is. But it's not -- the Federal Government didn't set that, it was in law when they passed law to the State that the State got land below that and above that is still federal lands. Does that -- do you see what I mean?

MR. SIMON: No. I still (ph) -- the State got land, the Federal got land, we still got the same land, we're not overlapping this here (ph), right?

MR. COLLINS: Right. Right.

MR. SIMON: (Indiscernible - interrupted)

MR. COLLINS: But that boundary is hard to tell because the boundary line

MR. SIMON: It's not the boundary, it's just -- what I'm saying right now, you say like I come from (ph) State.

MR. COLLINS: Uh-huh.

MR. SIMON: Okay. You're on federal. What can I do? You going to push me off and go over the bank or

MR. COLLINS: Yeah.

MR. HUNTINGTON: Thank you, Franklin.

MR. SIMON: Yeah.

MR. HUNTINGTON: Good point. Is there any -- anybody else want to make public comment, the floor is open. Seeing no one else, I guess we're about ready to go on with the agenda, huh? Dave, the next thing on our list would be the annual report.

MR. JAMES: Yeah, as you wish.

MR. HUNTINGTON: Dave can explain the annual report.

MR. JAMES: The question I would like clarified is -- if possible, is if this Council would like to go ahead with plans to prepare its first annual report; the deadline of which is mid-November. That obviously doesn't leave a lot of time, that means, I guess, is that you could forego the report or you could do a shortened version of the report. And the report, to refresh your memory, if you turn to Section 2, under Roles and Responsibilities that's listed in the middle of that

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page, and the four portions of the report are described under
 prepare and submit to the Board an annual report containing the
 following.

3

4 (Pause)

5

6 MR. HUNTINGTON: So we have two choices, I guess, huh?
 7 Either skip it for now and do it the following meeting in
 8 February or we can do a short version now?

9

10 MR. JAMES: That's the way I would assess it, Bill have
 might have some more perspective.

12

13 MR. KNAUER: Mr. Chair, there does need to be something
 prepared. One thing that, as you can see, much of what is
 asked for, this Council has not had time to discuss. And one
 of the things, though, that you have discussed quite thoroughly
 are some of the issues and concerns that warrant consideration
 in the future by this Council. So it would be possible to
 utilize that information in an annual report, identifying to
 the Board that these are the issues of concern that we see on
 the table right now that we will be looking at in this next
 year. And that as part of that, we will then be identifying
 current and anticipated uses and these other things.

24

25 That would be one way to handle that, both complying
 with the requirement that David and I have to be sure that the
 report is filed, but also evidencing to the Board and the
 Secretary that you are concerned about meeting your
 requirements and providing the Board the information based upon
 the local knowledge; that you're already starting to do that
 through the identification of issues of concern of the local
 people.

33

34 MR. HUNTINGTON: How does the Board feel on this?

35

36 MR. SIMON: Well, I'm uncomfortable (ph) with what you
 are saying right now. You got a Board here that we're sitting
 here and what we're doing today or yesterday or tonight, it
 would affect till (ph) next year or -- the way you put it, it
 wouldn't affect until the next meeting, most of them. How come
 you say you and them -- we, okay, we're the ones that can
 (indiscernible) -- and how the other people from (ph) different
 beliefs think. What do you think? I don't know.

44

45 You have to have input from us. I'm representing
 Kusli and different village, you know. But from my own
 opinion, I have a right to say what I think, 'cause I'm backing
 a bunch of people from Interior too. These peoples are from

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different places though. And you don't give them a chance to think, you got whatever you think; you don't give them a chance to answer your questions (indiscernible). 'Cause this is going to come up in a minute (ph) of next meeting, maybe a year from now or next month, when somebody's going to say well, they said this in McGrath. How come those people -- go to Bethel, or Elliamna or someplace, different places than Fairbanks. Who do (ph) you represent? It's your own opinion as to what we're (ph) doing right now.

9

10 MR. HUNTINGTON: Any recommendations from the Board?

11

12 MR. COLLINS: Mr. Chairman, I suggest we try to write a short report but state that since we've only been in operation for one meeting that we don't have information on much, but we have identified the following problems; and then just list some of those same ones that we put down as concerns or something in there.

18

19 MR. HUNTINGTON: Um-hum.

20

21 MR. COLLINS: And state that we plan to be working on these at the next meeting or something like that, so we can kind of bring them up to date where we are, and the fact that we did meet. But that we haven't had sufficient time to thoroughly address -- fulfill our charge to meet, you know. That's -- I think you could use the minutes from this and kind of draft that report and letter while (ph) we submit that. 'Cause there won't be any meeting now between the time it goes in, that's due in December is it?

30

31 MR. JAMES: That's correct.

32

33 MR. COLLINS: Yeah.

34

35 MR. HUNTINGTON: Yeah. I think that's probably our best route right now.

37

38 (Off record - tape malfunction)

39

40 (On record)

41

42 MR. HUNTINGTON: We haven't had enough time in the past 30 days to get everything that it calls for in the roles and responsibilities section. And so what I'm going to suggest maybe is after the minutes of the meeting is all published, we could come up with some areas of concern that we will address at the next meeting. Is that okay with the rest of the Board? Sharon.

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1 MS. GUTLER-STRICK: It might give us time to go back
and have our Fish & Game meeting and find out something. You
know, we might be more up-to-date as to concerns within our
region, if we have been inactive for a while. Because right
now, I'd have to either invent something, go along with what
someone else has said thinking well, that sounds reasonable. I
can't come up with something on my own right now, because I
didn't come to the meeting prepared

9

10 MR. HUNTINGTON: Um-hum. I think

11

12 MS. GUTLER-STRICK: for -- to answer this.

13

14 MR. HUNTINGTON: Yeah. I think we all feel about the
same way on that, we're not fully prepared or don't have the
information we (ph) should have as far as this concerns. So I
suggest, you know, maybe having a follow-up meeting on this.
What do you suggest there, Dave, any suggestions or

19

20 MR. JAMES: Yes, since you asked. I think two
different people here suggests that a short -- actually just a
letter could be drafted that identified simply a half a dozen
or so concerns that have been discussed with no more than maybe
a paragraph on each one. And you'd end up with maybe a two
page letter or something. At least you would have called
attention to some major issues, even though you may not have
had a chance to think through how you want to approach them,
necessarily; that's going to take time for you to think that
through. But you can at least identify problems, even if you
don't think you have solutions right now. Just an idea.

31

32 MR. GRAHAM: This wouldn't be an annual report, this
would just be -- would this count as the annual report?

34

35 MR. JAMES: Certainly.

36

37 MR. GRAHAM: Since we have only had one meeting
and

39

40 MR. JAMES: Yeah.

41

42 MR. GRAHAM: Although, we're not doing the four things
that they list, we're giving them something?

44

45 MR. JAMES: Um-hum.

46

47 MR. COLLINS: Mr. Chairman, it's interesting in looking
at those four things again that fish is clearly mentioned as

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one of them here, and yet that was excluded. And if we really did a thorough job, we'd be following up like on what Angela said that our anticipated need of fish in the summer is X amount, and you'd almost have to serve each community. And you would say under the current regulations, we only got X amount, so our shortfall is this much. I mean it says current and anticipated uses of it, and then your current and anticipated need.

8

9 So if we're really being thorough, we would be going at
10 -- like say we'd be fall moose hunting and we would say that
11 well, yes, maybe half of our village achieved -- got the moose
12 they needed. We needed another 30 or 40 moose or something
13 like that. You could take that approach if you went in to look
14 at what you're getting now under current State and Federal regs
15 and what you really need, to see what the disparity is between
16 those two. But that require kind of surveying every community
17 in our area or something.

18

19 MR. HUNTINGTON: Jack.

20

21 MR. REAKOFF: Dave, is that what you would interpret
22 this type of language to mean is that we would evaluate certain
23 soundages of subsistence resource or do they just want a more
24 general, just answering a question are the needs being met and
25 we anticipate more need or less need?

26

27 MR. JAMES: When this has come up in discussion at
28 staff meetings, when we were all trying to define what -- you
29 know, what does this mean, what are we going to tell the
30 Council Members; how can we help them deal with this? One of
31 the conclusions that surfaced from that was a general agreement
32 that these guidelines are really quite vague. They aren't
33 really cast in stone. It's not clear what they mean.
34 Um-hum.

35

36 MR. JAMES: Use it to your advantage, if they're going
37 to be vague, go for it. You know, use it to address -- don't
38 try to fit your problems or viewpoint into some sort of a rigid
39 mold. I think you're going to lose something if you do that.

40

41 Now, as much as you can, you still want to use these as
42 guideline, and that's exactly what Ray was just saying.
43 There's -- there may be -- you may all feel there's a
44 difference between use and need. Maybe, you know, well, this
45 village is getting 20 moose, and to a lot of people, to the
46 board, they might think hey, that's great, that's a lot; but in
47 fact, it isn't. They don't know how many times folks in the
48 villages eat meat, you know, three meals a day. They lack that

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perspective.

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2 So again, it's an opportunity to what to you may seem
3 obvious, and it's like you're almost having to tell a child,
4 but it's because people have a different background, and they
5 have a different experience and they don't understand that. So
6 this is another avenue or another opportunity to explain that.
7 And beyond that, I really don't know what to tell you. I
8 haven't done this before either.

9

10 MR. COLLINS: One reason I mentioned that is kind of
11 watching what happened, how the State dealt with Lime Village,
12 and they kind of ended up with something like that. You kind
13 of finally had to identify what your need was in terms of a
14 number, in general, and they ended up setting a community bag
15 limit, and then asked the community to report back on -- as a
16 community what they got. Now, that may not work for every
17 community, but that's what they worked out in that area.

18

19 MR. GRAHAM: They gave us the number.

20

21 MR. COLLINS: Yeah. Okay.

22

23 MR. GRAHAM: Since (ph) this is what you need.

24

25 MR. COLLINS: Yeah. That's right. I re- -- yeah.

26

27 MR. GRAHAM: Yeah. We wanted to -- I mean, the number
28 thing is what it seems like everybody want- -- or the
29 Department wants, and for Lime Village people to come up with a
30 number of how many moose they need or how many moose they take,
31 it just goes against the grain. And people get a moose or a
32 caribou when they need it. And so finally, a lot of it is
33 frustrating to us then, and

34

35 MR. SIMON: Yeah. Mr. Chairman, I'd like to ask him a
36 question. Have you lived there all your life or

37

38 MR. GRAHAM: No, 16 years.

39

40 MR. SIMON: Not the way you sound (ph).

41

42 MR. GRAHAM: Pardon me?

43

44 MR. SIMON: How long you been living down there?

45

46 MR. GRAHAM: Sixteen years.

47

48 MR. SIMON: Where did your parents come from, down in

49

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the States or

1

2 MR. GRAHAM: They're from the States.

3

4 MR. SIMON: Okay. Well, you got a grandfather or you
were married down there?

6

7 MR. GRAHAM: I'm married to someone in Lime Village.

8

9 MR. SIMON: Well, you got somebody besides you who
represents Lime Village, because you've been down there 16
years. So to my knowledge, the way you sound, you came from
different (ph) places.

13

14 MR. GRAHAM: I did.

15

16 MR. SIMON: Yeah. But you have right to say anything.
But, you know, I came from a old village like Jack here, all
of us. Like him, I don't know where he came from. But I'll
tell you one thing, you got your background, everything there,
but it's not your roots, where you come from. You talk about
down in the States, a different story. There are a lot of
peoples from different -- down in the States all over here that
got different opinion. Look at your background, look at your
grandfather or before that. I mean that kind of clarifies
what's going on here with all the moose and stuff like that.

26

27 MR. GRAHAM: I'm trying to speak for the people in Lime
Village.

29

30 MR. SIMON: Yeah. But you wasn't born there, though.

31

32 MR. GRAHAM: I was not born there, no.

33

34 MR. SIMON: Okay.

35

36 MR. HUNTINGTON: So what's the Board feel on this
annual report? Jack.

38

39 MR. REAKOFF: I feel that these are vague questions,
we'll answer with a vague answer, outlining our problems that
we have identified so far, that should be sufficient.

42

43 MR. HUNTINGTON: I agree.

44

45 MR. SIMON: And I'll tell you, I think we're helping
people but then it never works. When you come right down to
it, you come -- you are speaking for not only yourself but
you're speaking for the peoples, their benefit or culture, you

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know. I'm a traditional chief, I'm an old-fashioned (ph) chief, traditional, in Huslia, and there's the mayor and stuff like that. I know what's going on and everything. So as far as I'm concerned, you know, I -- maybe I talk too much (indiscernible), that's what we're here for.

5
6 MR. REAKOFF: Yeah.

7
8 MR. SIMON: To find out who is who, where your background and where you -- you know.

10
11 MR. REAKOFF: Um-hum.

12
13 MR. SIMON: You just can't say I live over in Nome or someplace, maybe I was over there (ph). I just can't represent Nome or someplace, you know, Barrow, or Anchorage. I got kids down in Anchorage too. It's a pretty small world, you know. You have to think of about your grandchilds and your kids, remember who you are. You got a right to speak, at least federal (ph) you know.

20
21 MR. HUNTINGTON: Okay. Thank you, Franklin.

22
23 MR. SIMON: Yeah.

24
25 MR. HUNTINGTON: Well, I suggest that we draft a letter stating that -- stating the issues that we've identified with a summary. And I think that might fulfill the requirements here on this roles and responsibilities. Anybody disagree or agree?

29
30 MR. SIMON: Well, I disagree. There's two good Indians around here against all this non-white -- or white (indiscernible) the Indians here, 2 against 14, that ain't right.

34
35 MR. REAKOFF: So do you need a motion for that?

36
37 MR. HUNTINGTON: I think so, huh? I think it's in order or it's recommended or what?

39
40 MR. JAMES: I suspect if you're not hearing unanimous agreement, that it would probably be appropriate to, you know, form it into a motion and take a vote.

43
44 MR. HUNTINGTON: Okay. A motion is in order for drafting a letter stating our -- some of the concerns that we've identified. Is there a motion on the floor?

47
48 MS. GUTLER-STRICK: Excuse me. I'd like to have those

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motions -- those concerns

1

2 MR. HUNTINGTON: Identified.

3

4 MS. GUTLER-STRICK: Um-hum.

5

6 MR. HUNTINGTON: Do you have those handy?

7

8 MR. JAMES: This will take, you know, a few minutes.

9

10 MR. HUNTINGTON: Um-hum.

11

12 (Off record)

13

14 (On record)

15

16 MR. HUNTINGTON: The meeting is now in session. We
have a list of the areas of concern that we've identified, and
Dave here will go ahead and read them, go down the list.

19

20 MR. JAMES: I've come up with eight different key
issues that you all have discussed today. Working backwards,
the first thing on the list is Lime Village moose quota. The
second one is difficulty of interpreting mean high water mark.
The third is the federal assumption of navigable waters for
fisheries management. The fourth is customary and traditional
determinations for military bases in rural areas. Number 5 is
customary and traditional determinations for black bear and
caribou in the Dalton Corridor. Number 6 is need for readily
available maps for hunters for use in the field. Seven,
representation on the Subsistence Resource Commissions in the
parks. And eight, concern about ethnic representation of the
south end of this region, down around Aniak. We can add to
that list or subtract from it.

34

35 MR. REAKOFF: Mr. Chairman, I think Dave Yokel brought
out a pertinent C&T for the Corridor that wolves should be
included in that with black bears and caribou. There's quite
a problem with truckers driving up and
down the road and shooting wolves from their trucks. So

40

41 MR. HUNTINGTON: That's another issue.

42

43 MR. REAKOFF: Um-hum.

44

45 MR. HUNTINGTON: Is it okay with the Board to add it,
the concern?

47

48 MR. SIMON: It's okay with me.

49

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1 MR. HUNTINGTON: Okay. We'll add that on the list
 2 then. It's been moved to draft a letter with these concerns
 3 that we've identified, is there a second?

4
 5 MR. REAKOFF: Second.

6
 7 MR. HUNTINGTON: I think you (indiscernible -
 8 interrupted)

9
 10 MR. REAKOFF: I'm -- okay.

11
 12 MS. GUTLER-STRICK: I'll second.

13
 14 MR. HUNTINGTON: Second by Sharon. It's been moved and
 15 second to draft a letter identifying the concerns that we've
 16 identified here, and all in favor by -- all in favor signify by
 17 saying aye.

18
 19 BOARD MEMBERS: (In unison) Aye.

20
 21 MR. HUNTINGTON: All opposed, same sign. The motion
 22 passes. So we'll have a letter with some explanations on it
 23 that's identifying the concerns.

24
 25 MR. JAMES: And if you wish, I can also point out the
 26 fact that because time is short, you've chosen this abbreviated
 27 approach rather than a lengthy report.

28
 29 MR. HUNTINGTON: Yeah. We did not have enough time to
 30 really -- really do what it all calls for but we'll do our
 31 best. Is there any other discussion on this?

32
 33 MR. SIMON: Well, hopefully, next time there's a
 34 meeting like this, hopefully that (ph) will give us more --
 35 give us more time for this. It's our Number 1 priority or
 36 something like that.

37
 38 MR. HUNTINGTON: I'll do whatever I can, give you all
 39 the information or the staff will. And going down the agenda,
 40 if there's nothing else, I guess what we'd like to do is
 41 determine the time and place of our next meeting. I guess it's
 42 open for discussion from the Board. Dave has got (ph) a few
 43 points there.

44
 45 MR. JAMES: The thought occurred to me, too, in
 46 addition to your discussion about time and place, you may also
 47 want to think about length of meeting.

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MR. HUNTINGTON: I think the issues that we've identified now will probably be on the next meeting, huh?

2

3 MR. JAMES: Um-hum.

4

5 MR. HUNTINGTON: So probably it'd be at least two days
6 again. It's be pretty hard to cram everything into one day,
7 the way things go. So I'd like to recommend maybe two day
8 meetings, and it's up -- I'll leave it up to the Board for
9 discussion, time and place.

10

11 MR. SIMON: I'd like to appoint village -- like we're
12 going to have one meeting, huh, and there's more people. It's
13 in -- from the Village of Huslia and Nulato, Kaltag, all these
14 places, there's people -- a lot of people there concerned about
15 this meeting (indiscernible) -- place. So I will take it to
16 (ph) Galena. I don't know (indiscernible - voice lowers).

17

18 MR. HUNTINGTON: Galena is one of the towns that's
19 considered -- we should consider, is there any more?

20

21 MR. GRAHAM: I'd like to see Galena.

22

23 MS. GUTLER-STRICK: I'd like to Aniak.

24

25 MR. COLLINS: I'm thinking of the weather in February.
26 I think from the middle to the end of -- somewhere between the
27 middle and the end of the month would be more appropriate than
28 early in the month.

29

30 MR. HUNTINGTON: Um-hum.

31

32 MR. COLLINS: 'Cause sometimes there can be bad weather
33 for travel and so on.

34

35 MR. HUNTINGTON: Well, we've not (ph) determined the
36 time yet.

37

38 MR. COLLINS: Right, I know, I just suggest, you know,
39 somewhere in that time frame.

40

41 MR. HUNTINGTON: Well, I'd like to suggest McGrath
42 again, it seems like we've -- the foods good here and nice
43 people.

44

45 MR. SIMON: As far as McGrath is concerned,
46 (indiscernible) I know they treat you good. As far as I'm
47 concerned, we're being treated like -- just like your own house
48 around here. We got good hospitality here from this place.

49

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And before I came, I didn't know where I was coming. Now, I make phone calls like that. So we're up here where, you know, people treat you good. Maybe we're in Aniak or Barrow or someplace, you know, it don't make any difference as long as -- what I -- what I pick up tonight or yesterday, there is more benefit to me for next meeting, wherever (ph), but it's up to you guys, you know.

7

8 MR. COLLINS: Mr. Chairman, I'd like to go to Galena if they can secure a place for us there and meals and so on. If it gets to be a problem, then I'll guess you'll have to consider an alternate, but

12

13 MR. HUNTINGTON: Well, the Corporation owns a lodge, and I think capacity is at least 20. I know it can hold (ph) at least 20 people.

16

17 MR. COLLINS: So they could open (indiscernible)?

18

19 MR. HUNTINGTON: Yeah. Uh-huh. The only problem I see with that is there's no taxi there but, you know, there's a lot of vehicles there, we can make some kind of arrangement maybe shuttle people around. And it's also a hub for the area, the people got (indiscernible - voice lowers, interrupted)

25

26 MR. DeMATTEO: The Fish & Wildlife Service office in Galena could provide transportation to get around.

28

29 MR. HUNTINGTON: Yeah. And everything is pretty well centralized, Fish & Wildlife, and the lodge, it's just next to each other, and it's right in the center of town almost so it shouldn't be much problem getting around. But I'll leave it up to the Board, you know. I'm flexible, either here or Galena.

34

35 MS. DEMIENTOFF: I'll go with Galena.

36

37 MR. HUNTINGTON: Well, maybe we'll just entertain a motion and have a vote on it, how does that sound? Maybe have a vote between Galena and McGrath or is there any other place that we might be able to hold our meeting at? Well, seeing or hearing none, I guess we'll -- maybe we'll just ahead and take a roll call vote on this, on either Galena or McGrath, how does that sound?

44

45 MR. SIMON: Well, I'm from (ph) Galena.

46

47 MR. HUNTINGTON: No, you're not.

48

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1 MR. SIMON: I (indiscernible - background
2 laughter)

3 MR. SIMON: I vote for Galena, though (ph).
4

5 MR. HUNTINGTON: Okay. Well, could I see a show of
6 hands, all in favor of having the meeting in Galena? 1, 2, 3,
7 4, 5, 6. And all in favor of having the meeting in McGrath?
8 One. I guess Galena is our next place of meeting. And now ,
9 we have to figure out the time.

10
11 MR. KNAUER: Mr. Chair.

12
13 MR. HUNTINGTON: Um-hum.
14

15 MR. KNAUER: Disregard the month that is showing up
16 there. This is a comparable (ph) February.

17
18 MS. GUTLER-STRICK: And the year.

19
20 MR. COLLINS: The 30th.
21

22 MR. KNAUER: I believe the 14th is Presidents' Day and
23 national holiday.

24
25 MR. YOKEL: I think it's the 21st, Bill.

26
27 MR. KNAUER: Is it the 21st this year?

28
29 MR. YOKEL: Yeah, that's what's circled on my calendar.

30
31 MR. KNAUER: You have a calendar?

32
33 MR. YOKEL: Yeah. Well, it's not big enough for people
34 to see.

35
36 MR. KNAUER: Okay.

37
38 MR. COLLINS: So if we meet that day, all the Federal
39 people can donate a day, right?

40
41 MR. KNAUER: Yeah. The 21st is the Federal holiday.

42
43 MR. HUNTINGTON: So it's out.

44
45 MR. KNAUER: In February. No, that's just -- that
46 doesn't necessarily mean it's out, because if you choose to
47 meet then, we'll come, that's fine. You know, we're at your
48 beck and call.

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1 UNIDENTIFIED VOICE: On a Sunday.

2

3 MR. HUNTINGTON: Pete, do you have a question?

4

5 MR. YOKEL: It's probably important to keep in mind
6 that there's a February moose hunt, February 1st through 10th,
7 in the Galena area. And maybe to solicit the max amount of
8 public participation, you may want to keep it after that, just
9 as a suggestion.

10

11 MR. SIMON: (Indiscernible) Monday, the 2nd, February.

12

13 MS. GUTLER-STRICK: That's the moose hunt.

14

15 MS. DEMIENTOFF: Moose hunt.

16

17 MR. KNAUER: I think what he said was the moose hunt is
18 the 1st through the 10th? The 1st through the 10th. So if
19 you're thinking that way, that would leave you some time in
20 these last two weeks.

21

22 MR. REAKOFF: Mr. Chairman.

23

24 MR. HUNTINGTON: Jack.

25

26 MR. REAKOFF: I'm trapping, and trapping season closes
27 the end of February, so that week of the 22nd would be good for
28 me to go to a meeting, then I'd have to

29

30 MR. COLLINS: That's a good week you said?

31

32 MR. REAKOFF: Yeah.

33

34 MS. GUTLER-STRICK: The 1st through the 5th, isn't it
35 Pete?

36

37 MR. YOKEL: They extended it another five days.

38

39 MS. GUTLER-STRICK: They did?

40

41 MR. YOKEL: Right.

42

43 MS. GUTLER-STRICK: This year.

44

45 UNIDENTIFIED VOICE: The State did.

46

47 MR. SIMON: (Indiscernible) 17th, Saturday and Sunday,
48 you know, or something like that.

49

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1 MR. HUNTINGTON: That's another thing maybe we should
discuss. Would we like to have it on the weekday or weekend?

3
4 MR. SIMON: Yeah.

5
6 MR. HUNTINGTON: You know, 'cause some of the people
work and

8
9 MR. REAKOFF: Yeah, that would be good.

10
11 MR. SIMON: Like -- excuse me right now. I'm working
right now for Alaska Village and I'm working for airlines, so
I'm losing two days here just to come to the meeting.

14
15 MR. REAKOFF: Right.

16
17 MS. GUTLER-STRICK: Four days (indiscernible - away
from microphone)

19
20 MR. SIMON: I'm not getting -- I'm losing money in a
way but I speak my mind (ph) because it's up to me what I want
to do. So each one of you guys (ph) -- is a weekend, maybe you
get more per diem, I don't know. Anyway, I'll tell
February 2nd is my birthday, so you guys cancel that date.

25
26 MR. COLLINS: What day?

27
28 MR. SIMON: February 2nd.

29
30 MR. COLLINS: The 2nd.

31
32 MR. SIMON: Yeah, Monday.

33
34 MR. COLLINS: What about a Friday/Saturday, is that a
compromise, we'll use one day a weekend and one day from the
week; like the 25/26th or something like that?

37
38 MS. GUTLER-STRICK: And we travel on the 24th, like?

39
40 MR. COLLINS: Yeah.

41
42 MS. GUTLER-STRICK: And the 27th.

43
44 MR. SIMON: Excuse me. You just can't put it right now
(ph), because you got to ask the residents of Galena, too,
because we don't know what's going on there about that time,
you know. We got to ask their Chief and the Council there.
You might have -- maybe they got something going on at that

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time too. So we just can't set the date, we got to ask them first. As far as I'm concerned, you know, it's a good date, no problem there.

3
4 MR. HUNTINGTON: Well, we got to have the meeting some time.

6
7 MR. SIMON: Yeah. But in a way, you know, like I say, you know,

9
10 MR. HUNTINGTON: Yeah.

11
12 MR. SIMON: you got to ask the residents of Galena first, because a lot of things go on around that time.

14
15 MR. HUNTINGTON: Dave.

16
17 MR. JAMES: Another consideration is that, for administrative reasons, March 2nd is the last day that we can present all of your recommendations and every -- all the business that you do at the meeting and get it to Anchorage to the staff to prepare it for consideration in the rest of the process. So -- but the closer you meet towards the end of the month is less preparation time to get stuff ready. It'll be ready, one way or the other, but you know, the more time there is, generally, the better job that can get done on it.

26
27 MR. COLLINS: The 2nd, you said, of March, so that'd be Wednesday.

29
30 MR. JAMES: March 2nd, as Steve calls it, a drop-dead date; after that, you may as well forget it because it's just not going to get into the system so

33
34 MR. COLLINS: What about 18/19, then that's kind of in the middle -- more towards the middle, is that

36
37 MR. HUNTINGTON: That (indiscernible - voice lowers) pretty good dates.

39
40 MR. COLLINS: Is that

41
42 MR. REAKOFF: Right.

43
44 MR. COLLINS: You said the other reasons (ph), would that work for you (ph).

46
47 MR. REAKOFF: That's good.

48
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1 MR. HUNTINGTON: Is it okay with the rest of the Board
2 to have it on the 18th and 19th of February?

3 MS. GUTLER-STRICK: And that means we travel on the
4 17th and the 20th, so --

5
6 MR. HUNTINGTON: Well, I

7
8 MS. GUTLER-STRICK: so your two full days
9 or

10
11 MR. HUNTINGTON: I think we should maybe discuss that,
12 because I spent almost a whole day, you know, just kind of
13 waiting around the first day.

14
15 MS. GUTLER-STRICK: Yeah, to get everybody together.

16
17 MR. HUNTINGTON: Yeah. And I think we probably could
18 get this meeting in three days, you know -- three days away
19 from home instead of four. And if we can maybe work out
20 something that we could travel one day and maybe have a short
21 meeting the day we get there or get started on it anyway, and
22 then maybe try and finish up the next day, put in a long day or
23 something, travel the third day. How does that sound, does
24 that sound reasonable?

25
26 MR. SIMON: For me it doesn't sound reasonable because
27 due to the weather, again. You can't guarantee that it'll be a
28 good day or whatever, you know, or misfortunate (ph) or
29 something like that, you know.

30
31 MR. COLLINS: What if we travel on the 17th and met
32 that evening for public testimony or something or to get
33 started, that way people -- that way, we'd use the evening and
34 then we'd start our business the next day or something. And
35 then we'd aim at trying to finish on Saturday afternoon so
36 people could still travel that night to get home, especially
37 those of you -- I'm assuming there's evening flights out of
38 here to Anchorage or somewhere for those of us on this side?

39
40 MR. HUNTINGTON: Yeah. There's flights from Anchorage
41 and to Fairbanks from Galena, I don't know what time they are
42 but we could find out, I guess.

43
44 MR. COLLINS: I don't know how late they fly at that
45 time of the year, it's shorter days.

46
47 MR. HUNTINGTON: No. They usually fly pretty late at
48 night sometimes (ph).

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1 MS. GUTLER-STRICK: They don't fly late to get to Ruby,
2 though, without daylight.

3
4 MR. COLLINS: Yeah, that's the thing, you -- yeah.

5
6 MR. SIMON: I'd like to make a statement (ph). Like I
7 said, due to the weather or get you guys' opinion, you know,
8 from my point of business (ph). It's up to you guys, you know.

9
10 MR. HUNTINGTON: Bill.

11
12 MR. KNAUER: Mr. Chair, one thing that it's very
13 difficult for us to estimate right now is how many proposals
14 we'll be having for you folks to look at and make
15 recommendations on. That plus the items that you have
16 indicated of concern that you want to try and address during
17 that meeting may mean that it may take two days or -- two full
18 days or maybe even a little more. So that's just something
19 like -- that is very hard for us to guess right now. Because
20 this meeting, we had two purposes; one was to try and provide
21 some basic orientation and training for you, and then take care
22 of some of the other business items. The next time, it'll be
23 an almost totally different meeting situation for you, since
24 you will be reviewing the proposals.

25
26 MR. SIMON: I would like to point out one thing,
27 Mr. Chairman, you know, I'm (indiscernible) -- or someplace.
28 Our time kind of (ph) expire. So at this time, I would
29 like to find out if I could run -- re-run again to maybe come
30 back for next meeting. Is it up to you guys, you know?

31
32 UNIDENTIFIED VOICE: I think you're automatically
33 indiscernible - interrupted)

34
35 MR. COLLINS: You're on next time.

36
37 MS. GUTLER-STRICK: You're on.

38
39 MR. SIMON: Okay.

40
41 MR. COLLINS: Yeah.

42
43 MR. HUNTINGTON: So is there -- have we come to a
44 decision on the dates, 17th, 18th, 19th?

45
46 MS. GUTLER-STRICK: And return on the 20th?

47
48 MR. HUNTINGTON: Well, some of us can try to return on

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the 19th, and whoever can't could return on the 20th. You know, we got to be flexible, we can't

2

3 (Off record comments)

4

5 MR. GRAHAM: Meeting in the evening, I think, is a good idea -- well, depending on how much we have, but it would allow people who work

8

9 MR. HUNTINGTON: Yeah.

10

11 MR. GRAHAM: to get in on it.

12

13 MR. HUNTINGTON: Yeah. Well, it's something that we could try for anyway, you know. I'm pretty sure we'll run into a few little problems but I think we can solve this. Was there any objection to those dates on this Board? So okay, well

18

19 MR. SIMON: I'll second (ph).

20

21 MR. COLLINS: Do you need a move (ph)?

22

23 MR. HUNTINGTON: Yeah.

24

25 MR. COLLINS: Okay. I'll move we meet in Galena, February 17th through 19th.

27

28 MR. HUNTINGTON: It's been moved that we have our next Board meeting in Galena on February 17th through 19th, 1994.

30

31 MR. REAKOFF: With travel on the 17th and return, you know, at the end of the meeting, I guess.

33

34 MR. HUNTINGTON: Um-hum. Return back to your villages as soon as possible after the meeting.

36

37 MR. REAKOFF: Second.

38

39 MR. HUNTINGTON: Second. It's been moved and second to have the meeting in Galena on February 17th through 19th, all in favor signify by saying aye.

42

43 BOARD MEMBERS: (In unison) Aye.

44

45 MR. HUNTINGTON: All opposed, same sign. The ayes have it. So our next meeting will be in Galena on February 17th, 18th and 19th, 1994.

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MR. COLLINS: So, Mr. Chairman, in terms of proposals, we just looked at the ones there, if we have concerns about seasons bag limits, then we should individually turn those in November 1 to get them in the proposal book, and then we can take a position in February is the idea, huh? So either as individuals or the local Fish & Game could turn them in, huh?

MR. HUNTINGTON: Okay. Is there any other business that we should maybe address right now? Seeing none, then I think a motion is in order for adjournment.

MR. SIMON: I got one thing here. It's a pretty good place here in McGrath there, and I like (indiscernible) say that they treat us pretty good here and things like that, you know. Maybe some other day, maybe we'll have a meeting here again. I'm glad to meet you guys and our response (ph) from you guys. As a Board Member, I'd like to thank the people that who are staying here and everything (ph).

MR. HUNTINGTON: I think that's a good point that we should consider, you know, this -- from this Board we should maybe show our appreciation to them for the hospitality that we've had from the Tukusko House.

MR. SIMON: Yeah.

MR. HUNTINGTON: I think we all agree that we've been treated pretty good here. Any suggestions on how to go about that?

MS. DEMIENTOFF: Send them a letter.

MR. HUNTINGTON: Send them a letter.

MR. GRAHAM: No, let's not send them a letter.

MS. GUTLER-STRICK: Pay them.

MR. COLLINS: Pay your bill and (indiscernible - laughter)

MR. SIMON: Well, I would like to say one last thing to you guys that nobody said about -- anything about alcohol or anything, but -- and I have partied (ph) too. But I suppose one of you guys drink or something like that, but from my opinion, I really appreciate (ph) the meeting. It's up to you guys, what you do in your time when you go to meeting, it's up to you. And that's all I have to tell you right now. Have a good, safe trip home and enjoy your life.

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1 UNIDENTIFIED VOICE: Thank you.

2

3 MR. REAKOFF: Thank you. Mr. Chairman.

4

5 MR. HUNTINGTON: Jack.

6

7 MR. REAKOFF: I'd like to thank all the Federal people
8 and the State people that showed up and informed us about your
9 specific areas and your concerns for the region. And I look
10 forward to working with you and your expertise in the future.

11

12 MR. HUNTINGTON: I have to agree with Jack on that
13 also. I'd like to thank you all, you're a great bunch of
14 people. Thank you. I hope to be able (ph) to work with you in
15 the future. Is there any other (indiscernible) before
16 adjournment? Hearing none, I move that we adjourn, is there a
17 second.

18

19 MR. SIMON: I second.

20

21 MR. HUNTINGTON: It's been moved and second to adjourn,
22 in favor signify by saying aye.

23

24 BOARD MEMBERS: (In unison) Aye.

25

26 MR. HUNTINGTON: All opposed same sign?

27

28 MR. SIMON: I oppose.

29

30 MR. HUNTINGTON: Okay. Adjourned (ph).

31

32 (Off record)

33

34 (END OF PROCEEDINGS)

35

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